

BOARD OF SUPERVISORS

MINUTES

April 25, 2007

Supervisors in Attendance:

Mr. Kelly E. Miller, Chairman
Mrs. Renny B. Humphrey, Vice Chrm.
Mr. R. M. "Dickie" King, Jr.
Mr. Donald D. Sowder
Mr. Arthur S. Warren

Mr. Lane B. Ramsey
County Administrator

Staff in Attendance:

Colonel Carl R. Baker,
Police Department
Mr. George Braunstein,
Exec. Dir., Community
Services Board
Mr. Allan Carmody, Dir.,
Budget and Management
Ms. Jana Carter, Dir.,
Juvenile Services
Mr. Roy Covington, Dir.,
Utilities
Ms. Mary Ann Curtin, Dir.,
Intergovtl. Relations
Mr. Jonathan Davis, Dir.,
Real Estate Assessments
Mr. Will Davis, Dir.,
Economic Development
Ms. Rebecca Dickson, Dep.
County Administrator for
Human Services
Mr. William Dupler,
Building Official
Ms. Lisa Elko, CMC,
Clerk
Mr. Michael Golden, Dir.,
Parks and Recreation
Mr. Russell Harris, Mgr.
of Community Development
Services
Mr. Donald Kappel, Dir.,
Public Affairs
Ms. Mary Lou Lyle, Dir.,
Accounting
Chief Paul Mauger,
Fire Department
Mr. R. John McCracken,
Dir., Transportation
Mr. Richard M. McElfish,
Dir., Env. Engineering
Mr. Jeffrey Mincks, Dep.
County Attorney
Dr. Marcus Newsome,
Supt., Chesterfield
County Schools
Capt. Donald Newton,
Sheriff's Office
Ms. Diane Peterson,
Senior Advocate
Mr. Francis Pitaro, Dir.,
General Services
Mr. James J. L. Stegmaier,
Deputy Co. Admin.,
Management Services

Mr. Miller called the regularly scheduled meeting to order at 3:04 p.m.

1. APPROVAL OF MINUTES FOR APRIL 11, 2007

On motion of Mrs. Humphrey, seconded by Mr. King, the Board approved the minutes of April 11, 2007, as submitted.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

2. COUNTY ADMINISTRATOR'S COMMENTS

O GODSPEED EVENTS

Ms. Dickson provided details of events that will be held on May 19 and 20, 2007 when the Godspeed sails into town and docks at Henricus Historical Park, and later in the week at the Intermediate Terminal in Richmond. She displayed a poster that will be placed around the county in various venues, advertising the events surrounding the Godspeed's visit to the area.

O CAPTAIN JOE NEWSOME

Chief Mauger provided details of funeral arrangements for Captain Joe Newsome, who passed away suddenly on April 23, 2007. He reviewed numerous accomplishments of Captain Newsome during his 18 years of service with Chesterfield Fire and Emergency Medical Services and stated he will be greatly missed.

Mr. Miller led those present in a silent prayer of remembrance for Captain Newsome and his family.

O MODEL COUNTY GOVERNMENT DAY

Mr. Ramsey stated the county is delighted to host Model County Government Day again this year. He called forward Ms. Carter to provide details of the event.

Ms. Carter thanked county and school officials for allowing the students to shadow them and make this a successful program. She stated Model County Government is a collaborative effort between Youth Planning and Development, the Extension Office and Schools. She recognized Ms. Amy Wells and Ms. Colleen Bryant and expressed appreciation for their coordination of the event.

The students and their advisors came forward and introduced themselves. Several of the students were seated with the Board members and County Administrator and participated in today's meeting.

3. BOARD MEMBER REPORTS

There were no Board member reports at this time.

4. REQUESTS TO POSTPONE AGENDA ITEMS AND ADDITIONS, OR CHANGES IN THE ORDER OF PRESENTATION

On motion of Mr. Sowder, seconded by Mrs. Humphrey, the Board added Item 8.B.1.c., Set Date for Public Hearing to Consider the Sale of Approximately 57 +/- Acres of Public Land at the Intersection of Ironbridge Road and Courthouse Road to Ironbridge Land Company; added Item 8.B.2.e., Adoption of Resolution Consenting to the Transfer of Title to the Maggie Walker Governor's School from the Maggie Walker Renovation Foundation LLC to the Regional Board of the Maggie Walker Governor's School; added Item 8.B.11., Authorization for County Administrator to Execute an Agreement with Petersburg, Virginia to Provide Building Official Services; added Item 8.B.12., Request to Reconsider an Amendment to the FY2008 School Budget for an At-Risk Preschool Initiative, and Transfer of Funds; replaced Item 16.D., Public Hearing to Consider the Exercise of Eminent Domain for the Acquisition of Water and Temporary Construction Easements for the Southwest Corridor Waterline Project - Part A; replaced Item 16.F., Public Hearing to Consider the Exercise of Eminent Domain for the Acquisition of Water and Temporary Construction Easements for the Southwest Corridor Waterline Project - Part B; and adopted the Agenda, as amended.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

5. RESOLUTIONS

5.A. RECOGNIZING MR. JOHN T. HEWITT, DEPARTMENT OF REAL ESTATE ASSESSMENTS, UPON HIS RETIREMENT

Mr. John Hewitt was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mr. John T. Hewitt was a member of the United States Marine Corps serving on active duty from 1963 to 1967 and stationed in Vietnam from 1965 to 1966 serving with the 3rd Marine Division as a Radio Relay Operator; and

WHEREAS, Mr. Hewitt began his tenure of public service with Chesterfield County in the mapping and printing division of the Utilities Department on December 4, 1972; and

WHEREAS, Mr. Hewitt was promoted to Construction Inspector in April of 1973, then promoted to Right of Way Agent in May of 1979, and promoted to Acquisition Supervisor in July of 1990 with the Utilities Department; and

WHEREAS, Mr. Hewitt held several positions in the International Right of Way Association and served as President in 1988-89; and

WHEREAS, on March 11, 1996, Mr. Hewitt accepted a position with the Chesterfield County Department of Real Estate Assessments as a Residential Appraiser; and

WHEREAS, Mr. Hewitt was licensed by the State of Virginia as a Certified Residential Appraiser; and

WHEREAS, in his role as Residential Appraiser, Mr. Hewitt received numerous accolades and commendations from citizens of Chesterfield County for outstanding service; and

WHEREAS, Mr. Hewitt held membership in the Virginia Association of Assessing Officers from 1996 to 2007; and

WHEREAS, Mr. Hewitt will be missed by his supervisors and peers for his expertise in the property assessment field as well as his positive, upbeat and professional manner; and

WHEREAS, Mr. Hewitt supported our community by unselfishly giving of his personal time to assist Meals on Wheels in distributing meals to our citizens; and

WHEREAS, Mr. Hewitt has been a dedicated and faithful employee of the County of Chesterfield for over 30 years.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 25th day of April 2007, publicly recognizes the outstanding contributions of Mr. John T. Hewitt, expresses appreciation on behalf of all residents for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Mr. Hewitt and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mrs. Humphrey presented the executed resolution and a Jefferson Cup to Mr. Hewitt, accompanied by Mr. Jonathan Davis, expressed appreciation for his dedicated service, and congratulated him on his retirement.

Mr. Hewitt expressed appreciation to the Board for the recognition and stated he has enjoyed working for the county.

5.B. RECOGNIZING MAY 2007, AS "OLDER AMERICANS MONTH" IN CHESTERFIELD COUNTY

Ms. Peterson introduced Dr. Thelma Bland Watson, Executive Director of Senior Connections, the Capital Area Agency on Aging, and representatives from various organizations that provide services and programs for older residents.

On motion of the Board, the following resolution was adopted:

WHEREAS, Chesterfield County is home to 44,500 residents 60 years and older; and

WHEREAS, the older residents of Chesterfield represent a dramatic trend in our nation's demographic makeup; and

WHEREAS, the 2007 theme for Older Americans Month, "Older Americans: Making Choices for a Healthier Future," encourages us to think differently about health and long term care, and to work together to rebalance and modernize our current systems so that we may adequately plan for and address the needs of current and future generations; and

WHEREAS, Senior Connections, The Capital Area Agency on Aging has set aside May 2007, to recognize and honor older adults in Planning District 15 and celebrate their contributions; and

WHEREAS, the Chesterfield TRIAD has declared May 2nd as Senior Day in Chesterfield County; and

WHEREAS, older adults are diverse, respected citizens who continue to contribute to our nation's social and economic well-being; and

WHEREAS, Ms. Mildred Branch is being recognized for her 21 years of dedicated service as the New Covenant Friendship Café Meal Site Manager for Senior Connections, The Capital Area Agency on Aging and for her outstanding leadership and her caring manner to the many older adults who attended the meal site program; and

WHEREAS, Mr. Marshall Jones is being recognized for his outstanding leadership role and volunteer service to the Chesterfield Council on Aging and to AARP Virginia and for serving as a role model for healthy aging.

NOW, THEREFORE, BE IT RESOLVED, that the Chesterfield County Board of Supervisors, this 25th day of April 2007, publicly recognizes May 2007, as "Older Americans Month" in Chesterfield County, urges all residents to honor older adults and those who care for them, during May and throughout the year, expresses its appreciation to all the organizations and Chesterfield County departments that provide programs and services to help older adults live active, independent and fulfilling lives, and wishes them continued success in all their efforts on behalf of our older residents.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

An executed copy of the resolution was presented to each of the representatives present.

Mr. Miller expressed appreciation for each of the representatives' contributions to the county's senior citizens and stated it is a privilege to honor the older generation who guide and direct the younger generations.

Dr. Watson expressed appreciation to the Board for honoring Ms. Branch and Mr. Jones and for recognizing the various organizations that provide services and programs for older residents.

6. WORK SESSIONS

There were no work sessions at this time.

7. DEFERRED ITEMS

There were no deferred items at this time.

8. NEW BUSINESS

8.A. APPOINTMENTS

On motion of Mr. Warren, seconded by Mr. King, the Board suspended its rules at this time to allow for simultaneous nomination/appointment/reappointment of members to serve on the Community Services Board.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.A.1. CHESTERFIELD COMMUNITY SERVICES BOARD

On motion of Mr. Warren, seconded by Mr. King, the Board simultaneously nominated/appointed Ms. Cynthia Hodges, representing the Midlothian District, to serve on the Community Services Board, whose term is effective May 1, 2007 and expires December 31, 2009.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.A.2. CAMP BAKER MANAGEMENT BOARD

On motion of Mr. Warren, seconded by Mr. King, the Board simultaneously nominated/appointed/reappointed Mr. William D. Poole, representing the Clover Hill District, and Mr. Moring E. Gravitt, representing the Bermuda District, to serve on the Camp Baker Management Board, whose terms are effective May 1, 2007 and expire April 30, 2010.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B. CONSENT ITEMS

On motion of Mr. King, seconded by Mr. Sowder, the following item was removed from the Consent Agenda for public comment: Item 8.B.12., Request to Reconsider an Amendment to the FY2008 School Budget for an At-Risk Initiative, and Transfer of Funds.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.1. SET DATES FOR PUBLIC HEARINGS

8.B.1.a. TO CONSIDER THE APPROVAL OF GROUND LEASES IN CONNECTION WITH CERTIFICATES OF PARTICIPATION FINANCING FOR THE SMITH-WAGNER BUILDING EXPANSION/RENOVATION PROJECT, THE CIRCUIT COURT/GENERAL DISTRICT COURTHOUSE EXPANSION PROJECT, THE FIVE-STORY ADMINISTRATION BUILDING RENOVATION PROJECT, AND THE OFFSITE PUBLIC SAFETY TRAINING CENTER PROJECT

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of May 23, 2007 at 6:30 p.m. for a public hearing for the Board to consider the approval of ground leases to be entered into in connection with the planned Certificates of Participation financing for the Smith-Wagner Building Expansion/Renovation Project, the Circuit Court/General District Courthouse Expansion Project, the Five-Story Administration Building Renovation Project, and the Offsite Public Safety Training Center Project.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.B.1.b. TO CONSIDER AN ORDINANCE TO ESTABLISH THE "CEDAR CREST SEWER ASSESSMENT DISTRICT"

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of May 23, 2007 at 6:30 p.m. for a public hearing for the Board to consider establishment of the "Cedar Crest Sewer Assessment District."

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.B.1.c. TO CONSIDER THE SALE OF APPROXIMATELY 57 +/- ACRES OF PUBLIC LAND LOCATED AT THE INTERSECTION OF IRONBRIDGE ROAD AND COURTHOUSE ROAD TO IRONBRIDGE LAND COMPANY

On motion of Mr. Warren, seconded by Mr. King, the Board set the date of May 23, 2007 at 6:30 p.m. for a public hearing for the Board to consider the sale of approximately 57 +/- acres of public land located at the intersection of Ironbridge Road and Courthouse Road to Ironbridge Land Company.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.B.2. ADOPTION OF RESOLUTIONS

8.B.2.a. RECOGNIZING THE WEEK OF APRIL 29 - MAY 5, 2007, AS "MUNICIPAL CLERKS WEEK"

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and

WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and

WHEREAS, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies and agencies of government at other levels; and

WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

WHEREAS, Municipal Clerks serve as the information center on functions of local government and the community; and

WHEREAS, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in educational programs, seminars, workshops and the annual meetings of their state, province, county and international professional organizations; and

WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes the week of April 29 - May 5, 2007, as "Municipal Clerks Week" and extends their appreciation to Chesterfield's Municipal Clerks, Mrs. Lisa Elko, CMC and Mrs. Janice Blakley, CMC, and to all Municipal Clerks for the vital services they perform and for their exemplary dedication to the communities they represent.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.2.b. RECOGNIZING MAY 13 - 19, 2007, AS "NATIONAL LAW ENFORCEMENT WEEK"

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, one of Chesterfield County's eight strategic goals is "to be the safest and most secure community compared to similar jurisdictions"; and

WHEREAS, no human aspiration is more fundamental and important than safety of family, self and others whom we hold dear; and

WHEREAS, the dedicated, loyal and brave members of the various law enforcement agencies that operate in Chesterfield County provide an invaluable service to all citizens; and

WHEREAS, this service, provided 24 hours a day and 365 days a year, is part of the foundation upon which our quality of life rests; and

WHEREAS, during a time of war overseas and heightened risks of terrorist attacks on our homeland, law enforcement agencies are doing everything within their means to provide for the security of our nation during these trying times; and

WHEREAS, the week of May 13-19, 2007, is widely recognized across the nation as "National Law Enforcement Week" and will honor the 143 law enforcement officers who gave their lives in 2006 in the line of duty, including Chesterfield Officer Gary Buro and Virginia State Troopers Kevin Manion and Robert Hill, Sr.; and

WHEREAS, Chesterfield County is proud and honored to have such outstanding and professional individuals serving as law enforcement officers in the county to protect the health, safety and welfare of its citizenry.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors hereby recognizes the week of May 13-19, 2007, as "National Law Enforcement Week" in Chesterfield County and calls this recognition to the attention of all its citizens.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.2.c. RECOGNIZING THE WEEK OF MAY 13-19, 2007, AS
"BUSINESS APPRECIATION WEEK" IN CHESTERFIELD COUNTY

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, Chesterfield County has a thriving base of business and industry to support the local economy; and

WHEREAS, these businesses are both domestically and internationally based and range in size from very small entrepreneurial companies to large companies; and

WHEREAS, these businesses provide essential employment opportunities for the citizens of Chesterfield County; and

WHEREAS, business tax revenues are critical in offsetting the cost of county-provided services required by our rapidly growing residential sector, in addition to industry taking an active role in making the community a better place through their commitment to charitable organizations, schools, recreation and other worthwhile endeavors.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors hereby expresses its gratitude on behalf of county residents to all businesses and industry located in Chesterfield for their contributions over many years by recognizing May 13-19, 2007, as "Business Appreciation Week" in Chesterfield County.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.2.d. RECOGNIZING MR. ROBERT H. JONES, ENVIRONMENTAL
ENGINEERING, UPON HIS RETIREMENT**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, Mr. Robert H. Jones retired on April 1, 2007 after providing twenty-three years of dedicated and faithful service to Chesterfield County; and

WHEREAS, Mr. Jones began his service with Chesterfield County on October 1, 1984 as a maintenance worker in the Department of Environmental Engineering, Drainage Division and was promoted to equipment operator October 13, 1986; and

WHEREAS, Mr. Jones worked tirelessly as a key and extremely reliable member of the Environmental Engineering Department snow- and ice-removal team ensuring county facilities were accessible for employees and citizens following winter storm events; and

WHEREAS, Mr. Jones participated in several large capital improvement projects improving storm-water infrastructure for the citizens of Chesterfield County; and

WHEREAS, Mr. Jones worked long hours in the aftermath of Hurricane Isabel helping to clear roads and infrastructure from fallen trees during and in the days immediately following the event; and

WHEREAS, in recognition of his dedication and exceptional job performance, Mr. Jones has received numerous letters of appreciation from county citizens for his excellent customer service; and

WHEREAS, Mr. Jones always performed his duties and responsibilities in a professional manner placing the welfare and safety of citizens and fellow county employees above his own personal comfort and will be missed by his fellow co-workers and customers.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors recognizes Mr. Robert H. Jones and extends appreciation for his twenty-three years of dedicated service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.2.e. CONSENTING TO THE TRANSFER OF TITLE TO THE MAGGIE
WALKER GOVERNOR'S SCHOOL FROM THE MAGGIE WALKER
RENOVATION FOUNDATION LLC TO THE REGIONAL BOARD
OF THE MAGGIE WALKER GOVERNOR'S SCHOOL**

On motion of Mr. Warren, seconded by Mr. King, the Board adopted the following resolution:

WHEREAS, the Board of Supervisors of Chesterfield County, Virginia, participates in the Maggie L. Walker Governor's School for Government and International Studies

("Governor's School"), which is governed by the Regional Board; and

WHEREAS, the title to the building which houses the Governor's School and the surrounding property, ("Governor's School Property") is held by the Maggie L. Walker Renovation Foundation ("Foundation"); and

WHEREAS, Va. Code Ann. §22.1-26 permits the Regional Board to hold title to the Governor's School Property with the approval of the participating school boards and the respective local governing bodies; and

WHEREAS, the Foundation desires to transfer title to the Governor's School Property to the Regional Board as permitted by Va. Code Ann. §22.1-26.; and

WHEREAS, the Board of Supervisors of Chesterfield County, Virginia, approves of the title to the Governor's School Property being vested in the Regional Board.

NOW, THEREFORE, BE IT RESOLVED that the Board of Supervisors of Chesterfield County, Virginia, hereby approves of the transfer of title to the Governor's School Property from the Foundation to the Regional Board.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.3. APPROPRIATION OF CONTINUATION GRANT FUNDS AND LOCAL MATCHING FUNDS FOR THE SHERIFF'S OFFICE JAIL MANAGEMENT SYSTEM REWRITE PROJECT

On motion of Mr. Warren, seconded by Mr. King, the Board appropriated \$75,000 in grant funds from the Department of Criminal Justice Services and \$25,000 in local matching funds for the Sheriff's Office Jail Management System Rewrite Project.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.4. APPROPRIATION OF ROAD CASH PROFFER FUNDS AND AUTHORIZATION TO PROCEED WITH THE OTTERDALE ROAD BRIDGE REPLACEMENT PROJECT

On motion of Mr. Warren, seconded by Mr. King, the Board appropriated \$214,500 in road cash proffers from Traffic Shed 6 for the Otterdale Road Bridge Replacement Project; and authorized the County Administrator to proceed with the design, environmental permits, right-of-way acquisition, including advertisement of an eminent domain public hearing if necessary, and construction.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.5. CONVEYANCE OF EASEMENTS

8.B.5.a. TO VERIZON VIRGINIA INCORPORATED TO INSTALL UNDERGROUND CABLE ACROSS COUNTY PROPERTY TO PROVIDE UPGRADED SERVICE TO THE RESIDENTS OF FERNBROOK SUBDIVISION

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Verizon Virginia Incorporated to install underground cable across county property to provide upgraded service to the residents of Fernbrook Subdivision. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.5.b. TO COLUMBIA GAS OF VIRGINIA, INCORPORATED ACROSS COUNTY PROPERTY AT MIDLOTHIAN HIGH SCHOOL TO IMPROVE GAS INFRASTRUCTURE IN WESTERN CHESTERFIELD AND SERVE WATKINS CENTRE

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the Chairman of the Board of Supervisors and the County Administrator to execute an easement agreement with Columbia Gas of Virginia, Incorporated across county property at Midlothian High School. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.6. REQUESTS FOR PERMISSION

8.B.6.a. FROM BB HUNT, LLC FOR PROPOSED PRIVACY FENCES TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT, AN EIGHT-FOOT EASEMENT, A TEN-FOOT TEMPORARY CONSTRUCTION EASEMENT, A TWENTY-FOOT SEWER EASEMENT, AND A TEN-FOOT COMMON AREA EASEMENT ACROSS LOTS IN HAYWOOD VILLAGE, SECTION A AT CHARTER COLONY

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from BB Hunt, LLC for permission for proposed privacy fences to encroach two feet into a 16-foot drainage easement, an 8-foot easement, a 10-foot temporary construction easement, a 20-foot sewer easement, and a 10-foot common area easement across Lots in Haywood Village, Section A at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.6.b. FROM BOONE HOMES INCORPORATED FOR A PROPOSED
PRIVACY FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT
DRAINAGE EASEMENT, AN EIGHT-FOOT EASEMENT, A TEN-
FOOT TEMPORARY CONSTRUCTION EASEMENT, AND A TWENTY-
FOOT SEWER EASEMENT ACROSS LOT 29, HAYWOOD VILLAGE,
SECTION A AT CHARTER COLONY**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from Boone Homes Incorporated for permission for a proposed privacy fence to encroach two feet into a 16-foot drainage easement, an 8-foot easement, a 10-foot temporary construction easement, and a 20-foot sewer easement across Lot 29, Haywood Village, Section A at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the vicinity sketch is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.6.c. FROM GEORGE W. COLEMAN, JR. AND VICKI D. COLEMAN
FOR PROPOSED LANDSCAPING TO ENCROACH WITHIN A
SIXTEEN-FOOT DRAINAGE EASEMENT AND AN EIGHT-FOOT
EASEMENT ACROSS LOT 20, STEWART VILLAGE, SECTION A
AT CHARTER COLONY**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from George W. Coleman, Jr. and Vicki D. Coleman for permission for proposed landscaping to encroach within a 16-foot drainage easement and an 8-foot easement across Lot 20, Stewart Village, Section A at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.6.d. FROM ALAN S. EVANS AND TRACY M. EVANS FOR A
PROPOSED FENCE TO ENCROACH WITHIN AN EIGHT-FOOT
EASEMENT ACROSS LOT 27, MALLORY VILLAGE, SECTION A
AT CHARTER COLONY**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from Alan S. Evans and Tracy M. Evans for permission for a proposed fence to encroach within an 8-foot easement across Lot 27, Mallory Village, Section A at Charter Colony, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.6.e. FROM GPV, LLC TO INSTALL A PRIVATE SEWER SERVICE
WITHIN PRIVATE EASEMENTS TO SERVE PROPERTY AT 3620
CALL FEDERAL DRIVE AND 10511 HULL STREET ROAD**

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from GPV, LLC for permission to install a

private sewer service within private easements to serve property at 3620 Call Federal Drive and 10511 Hull Street Road, and authorized the County Administrator to execute the sewer connection agreement. (It is noted copies of the plats are filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.6.f. FROM JEROME MERSKI AND DONNAJEAN MERSKI FOR A PROPOSED FENCE TO ENCROACH WITHIN A SIXTEEN-FOOT DRAINAGE EASEMENT ACROSS LOT 44, EDGEWATER AT THE RESERVOIR, SECTION 8

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from Jerome Merski and Donnajeane Merski for permission for a proposed fence to encroach within a 16-foot drainage easement across Lot 44, Edgewater At The Reservoir, Section 8, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.6.g. FROM JANIS R. O'GRADY FOR A PROPOSED FENCE TO ENCROACH WITHIN TWO SIXTEEN-FOOT SEWER EASEMENTS, A VARIABLE WIDTH DRAINAGE EASEMENT, A FIVE-FOOT EASEMENT, AND A TWENTY-FIVE-FOOT SEWER EASEMENT ACROSS LOT 9, LOCH BRAEMAR, SECTION D

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from Janis R. O'Grady for permission for a proposed fence to encroach within two 16-foot sewer easements, a variable width drainage easement, a 5-foot easement, and a 25-foot sewer easement across Lot 9, Loch Braemar, Section D, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.6.h. FROM THE SALISBURY CLUB, LIMITED FOR EXISTING LIGHT POLES AND FOUNDATIONS AND A PROPOSED BRICK PIER TO ENCROACH WITHIN A TWENTY-FOOT WATER EASEMENT ACROSS PROPERTY ON SALISBURY ROAD

On motion of Mr. Warren, seconded by Mr. King, the Board approved a request from The Salisbury Club, Limited for permission for existing light poles and foundations and a proposed brick pier to encroach within a 20-foot water easement across property at 13620 Salisbury Road, subject to the execution of a license agreement. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**8.B.7. ACCEPTANCE OF PARCELS OF LAND FOR PORT WALTHALL COURT
FROM ROSLYN FARM CORPORATION**

On motion of Mr. Warren, seconded by Mr. King, the Board accepted the conveyance of two parcels of land containing a total of 1.167 acres from Roslyn Farm Corporation for Port Walthall Court, and authorized the County Administrator to execute the deed. (It is noted a copy of the plat is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

**8.B.8. AUTHORIZATION TO AWARD A CONSTRUCTION CONTRACT FOR
THE HALLOWAY AVENUE SIDEWALK ENHANCEMENT PROJECT**

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the award of a construction contract, up to \$950,000, to the lowest responsible bidder for the Halloway Avenue Sidewalk Enhancement Project.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

**8.B.9. TRANSFER OF DISTRICT IMPROVEMENT FUNDS FROM THE
MATOACA DISTRICT IMPROVEMENT FUND**

**8.B.9.a. TO THE FIRE AND EMERGENCY MEDICAL SERVICES
DEPARTMENT TO FUND THE DEPARTMENT'S PARTICIPATION
IN THE FIREFIGHTER "LOW MAINTENANCE" COMPETITIONS**

On motion of Mr. Warren, seconded by Mr. King, the Board transferred \$5,128.50 from the Matoaca District Improvement Fund to the Fire and Emergency Medical Services Department to fund the department's participation in the Firefighter "Low Maintenance" Competitions in Myrtle Beach, Elkton, Virginia and Atlanta.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

**8.B.9.b. TO THE GENERAL SERVICES DEPARTMENT TO PAY DISPOSAL
FEES FOR MATERIALS COLLECTED FROM CITIZENS DURING
"CLEAN UP DAY" IN THE ETTRICK AREA**

On motion of Mr. Warren, seconded by Mr. King, the Board transferred \$5,000 from the Matoaca District Improvement Fund to the General Services Department to pay disposal fees for materials collected from citizens during "Clean Up Day" in the Ettrick area.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

8.B.10. DONATION OF DISTRICT IMPROVEMENT FUNDS FROM THE BERMUDA DISTRICT IMPROVEMENT FUND TO HENRICUS FOUNDATION FOR NEW FLAGS TO BE DISPLAYED FOR THE FOUR HUNDREDTH CELEBRATION; A SECURE CASE FOR DISPLAYING HISTORICAL AND VALUABLE ARTIFACTS; AND A SHELTER BUILDING TO STORE TWO GOLF CARTS

On motion of Mr. Warren, seconded by Mr. King, the Board donated \$2,000 from the Bermuda District Improvement Fund to the Henricus Foundation to purchase: 1) new flags to be displayed around the parking lot for the 400th celebration; 2) a secure case for displaying historical and valuable artifacts; and 3) a shelter building to store two golf carts.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

8.B.11. AUTHORIZATION FOR COUNTY ADMINISTRATOR TO EXECUTE AN AGREEMENT WITH PETERSBURG, VIRGINIA TO PROVIDE BUILDING OFFICIAL SERVICES

On motion of Mr. Warren, seconded by Mr. King, the Board authorized the County Administrator to execute an agreement on behalf of the county to provide assistance to the City of Petersburg Building Inspection Department. (It is noted a copy of the agreement is filed with the papers of this Board.)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

The following item was removed from the Consent Agenda for public comment:

8.B.12. REQUEST TO CONSIDER AN AMENDMENT TO THE FY2008 SCHOOL BUDGET FOR AN AT-RISK PRESCHOOL INITIATIVE, AND TRANSFER OF FUNDS

Ms. Emily Griffey, Director of Research and Advocacy for Success by Six of the Greater Richmond Chamber of Commerce, thanked the Board for its reconsideration and potential support of the at-risk preschool initiative. She stated it is the Chamber's opinion that investments in early childhood development are key to the region's economic vitality. She further stated, if the Board allocates funds for the project, Chesterfield will join Richmond and Henrico in participating in the Virginia Preschool Initiative to offer more at-risk students the opportunity to attend preschool programs.

Delegate Jack Reid stated he was present to clarify any potential misunderstandings that might exist because of the House Education Committee's action on Governor Kaine's effort for universal pre-kindergarten. He further stated it has been shown that the growth and help that young people receive through universal pre-kindergarten cannot be sustained much beyond the third or fourth grade. He stated the issue the Board is considering is a program that is narrowly focused and aimed at approximately 100 young people in Chesterfield County who qualify both by the federal poverty guidelines and others which indicate they need some special help before starting school. He further stated members of the Education

Committee met with Governor Kaine and the Secretary of Education and informed them that they would not support universal pre-kindergarten, but would support programs such as this, which deal with young people who have been identified as having a need. He stated when a program is aimed at a limited group of youngsters, there is assurance that they will be taught pre-kindergarten, kindergarten and grades 1-3 by people who are trained in, and want to teach, at-risk children, indicating that this quality of instruction cannot be sustained with a universal program.

Mr. Warren thanked Delegate Reid for clarifying this issue for the Board and distinguishing between the two types of programs.

Mr. King stated when he brought this issue forward, he was unaware that anyone would be present to speak. He confessed that he was one of the five Board members who voted to delete \$750,000 in funding from the school budget for the pre-school program. He stated, at the time he voted on the issue, he was under the impression that the funding was associated with a universal pre-kindergarten program, but the School Board has educated him on the issue since that time. He further stated it is difficult to rescind an earlier decision, and he acknowledged that his decision was made without completely understanding the issue. He reminded the Board members that, at the time of the decision, he was more in tune to the tax rate and transportation plan. He stated he has been informed that the Board's decision to remove a line item from the School Board's budget was unprecedented. He further stated he does not like taking a different position than Mr. Miller, who is so very credible and willing to defend what he believes to be right. He stated he strongly believes it is his duty as a supervisor to allocate funds, and that the Board has the right to deny the schools of any funds. He stated he believes the Board of Supervisors should give the School Board advance notice regarding any issues that might impact their budget, rather than just taking actions to delete funding of certain projects. He further stated, in his opinion, he made the wrong decision based on what he has always said, that school business should be addressed by the School Board, and county business by the Board of Supervisors. He stated he sincerely believes the Board should rethink this issue, indicating that the school system seems to be well run. He further stated he does not believe there was malice intended on the part of any Board member with the decision that was made, indicating that he does not like the way he voted on the issue based on information he has received since the last Board meeting.

Mrs. Humphrey stated she asked School Administration on two occasions to show her how this program could be applied more uniformly across the county, and they did not demonstrate to her that any school in the Matoaca District would benefit from this funding, indicating that this was the reason she declined to support it. She further stated if the schools could demonstrate to her some equality in this program county-wide, she would be willing to compromise on this issue.

Dr. Dale Kalkofen stated Chesterfield Schools are eligible for more of the Virginia Preschool Initiative funds than was applied for and can amend their application to the state to

include an additional classroom or two. She provided details of elementary schools by district that have some kind of pre-school program, including Head Start, Title 1 and the Virginia Preschool Initiative.

Mrs. Humphrey stated no school in the Matoaca District is proposed to receive any of the Virginia Preschool Initiative funding, and she stands firm on her previous decision unless she can be shown that the Matoaca District would benefit from this funding.

Discussion ensued relative to how socioeconomic levels within school districts impact this funding.

Mrs. Humphrey stated she is looking at the issue from a geographical standpoint, indicating that both Matoaca and Crenshaw Elementary Schools might serve as hubs for several school districts for parents who travel the River Road and Route 288 Corridors.

Dr. Kalkofen noted that the state has calculated that there are approximately 500 unserved students in the county, and she will personally lobby for two additional classes under the Virginia Preschool Initiative and determine whether the application can be amended.

Mr. Sowder thanked Delegate Reid and School Administration for providing him with a better understanding of the issue. He stated he has heard from numerous constituents during the budget process about two issues - 1) assessments and, surprisingly, 2) the pre-kindergarten program. He stated he is not qualified to know which school programs are good and which ones are not, nor does he think it is the Board's role to determine this. He further stated his vote was based strictly on the tight budget crisis and the large number of his constituents who did not support this specific program. He stated it is probable that his constituents had not been educated and did not understand the benefits of the program. He further stated he still feels strongly about his decision because it is his job to represent constituents in the Midlothian District, who would receive absolutely no benefit from this program. He stated it is difficult to approve funding for a program with no benefit to the Midlothian District when there are schools in the district in need of repair and repainting and trailers being currently used for classrooms. He further stated he is comfortable with his decision until additional information is available to clarify the issue.

Dr. Kalkofen stated she thinks Crestwood Elementary would be interested in and have room for a Virginia Preschool Initiative classroom. She further stated, since this is the first time School Administration attempted to apply for this funding, she does not know if anyone thought about equity across the magisterial districts. She stated the educators would appreciate the opportunity to consider adding more classes, and she will look at expanding the grant to include Crenshaw, Matoaca and Crestwood Elementary Schools.

Mr. King stated Block Grant funding is not equitably distributed and expressed concerns relative to pitting one district against another and not letting the School Board run the school system.

Mr. Warren stated, with the new information provided, he believes the school system really is looking out for at-risk students. He further stated it is not the Board's role to deal with specific line items in the budget. He stated he will vote on this issue on the basis of the elected School Board and School Administration as to how they spend their money that is budgeted to them.

In response to Mrs. Humphrey's question, Dr. Kalkofen stated the current proposal will serve approximately 112 students, and the state has indicated that there are potentially 500 county students that would be served by this program beyond Head Start and Title 1.

Mrs. Humphrey expressed concerns that only about 20 percent of the students at-risk will be served.

Mr. Miller stated he does not know whether the Board has made a decision regarding a program such as this before, but he believes that they should because any program could be coming through on any budget that may or may not be in the best interest of county citizens. He further stated the Board has not transcended the School Board's rights, as has been suggested. He stated the Board of Supervisors should have the right to say what programs are funded with taxpayers' money because they levy the taxes. He further stated the Board could have just reduced the School Board's budget by \$750,000, but he believes in being honest and upfront by telling the school system that the Board did not believe the program was a good use of taxpayer dollars. He stated the Board has a right to look at programs that are included in the budget. He further stated his vote was not based on geography, but that the role of government has been extended too far. He inquired whether this program would stop with four-year-olds, or if it would later be provided for three- and two-year-olds, as well. He expressed concerns that federal and state funding for programs does not last, and the county must continue funding them. He stated he will not apologize for exercising his duties, indicating that he takes issue with many School Board matters, but has never intruded in them. He further stated the School Board voices their opinion to the Board of Supervisors regarding how they should act on issues such as the tax rate. He stated Board members represent the citizens who have no other voice except the Board of Supervisors to express their concerns. He further stated regardless of boundaries or geographical differences, but purely on principle, he will not change his vote on the issue, indicating that he was not misled in the slightest about this program.

Mr. King stated he knows the Board has taxing authority, but he thinks the action taken by the Board usurps that authority.

Mr. King then made a motion, seconded by Mr. Warren, for the Board to approve an amendment to the FY2008 school budget in the amount of \$750,000 and transfer \$386,100 from the county's FY2008 budget for appropriation in the school's instruction category, effective July 1, 2007.

Ayes: King and Warren.

Nays: Miller, Humphrey, and Sowder.

Mrs. Humphrey stated she would still entertain a proposal that would include additional schools.

9. REPORTS

9.A. REPORT ON DEVELOPER WATER AND SEWER CONTRACTS

9.B. REPORT ON STATUS OF GENERAL FUND BALANCE, RESERVE FOR FUTURE CAPITAL PROJECTS, DISTRICT IMPROVEMENT FUNDS AND LEASE PURCHASES

9.C. REPORT ON ROADS ACCEPTED INTO THE STATE SECONDARY SYSTEM

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board accepted a Report on Developer Water and Sewer Contracts; and a Report on the Status of General Fund Balance, Reserve for Future Capital Projects, District Improvement Funds and Lease Purchases.

And, further, the following roads were accepted into the State Secondary System:

<u>ADDITION</u>	<u>LENGTH</u>
<u>Brynmore</u> (Effective 2/28/2007)	
Brynmore Drive (Route 5970) - From Crooked Branch Terrace (Route 5971) to cul-de-sac	0.15 Mi.
Brynmore Drive (Route 5970) - From Centralia Road (Route 145) to Crooked Branch Terrace (Route 5971)	0.18 Mi.
Crooked Branch Terrace (Route 5971) - From Brynmore Drive (Route 5970) to cul-de-sac	0.22 Mi.
<u>Carters Mill East</u> (Effective 3/7/2007)	
Carters Garden Court (Route 7117) - From Carters Garden Drive (Route 7115) to cul-de-sac	0.06 Mi.
Carters Garden Drive (Route 7115) - From Carters Hill Drive (Route 7116) to Carters Garden Court (Route 7117)	0.15 Mi.
Carters Garden Drive (Route 7115) - From Carters Garden Terrace (Route 7118) to cul-de-sac	0.15 Mi.
Carters Garden Drive (Route 7115) - From Carters Garden Court (Route 7117) to Carters Garden Terrace (Route 7118)	0.09 Mi.
Carters Garden Drive (Route 7115) - From Second Branch Road (Route 653) to Carters Hill Drive (Route 7116)	0.33 Mi.
Carters Garden Terrace (Route 7118) - From Carters Garden Drive (Route 7115) to cul-de-sac	0.19 Mi.

Carters Hill Court (Route 7119) - From Carters Hill Drive (Route 7116) to cul-de-sac	0.11 Mi.
Carters Hill Drive (Route 7116) - From Carters Garden Drive (Route 7115) to Carters Hill Court (Route 7119)	0.12 Mi.
Carters Hill Place (Route 7120) - From Carters Hill Drive (Route 7116) to cul-de-sac	0.05 Mi.
<u>Clayborne Village A</u> (Effective 2/28/2007)	
Clayborne Court (Route 7134) - From Clayborne Lane (Route 7133) to cul-de-sac	0.02 Mi.
Clayborne Lane (Route 7133) - From Charter Club Drive (Route 7064) to Clayborne Court (Route 7134)	0.07 Mi.
Clayborne Lane (Route 7133) - From Nicolay Way (Route 7135) to temporary end of maintenance	0.03 Mi.
Clayborne Lane (Route 7133) - From Clayborne Court (Route 7134) to Nicolay Way (Route 7135)	0.06 Mi.
Clayborne Place (Route 7136) - From Nicolay Way (Route 7135) to cul-de-sac	0.03 Mi.
Nicolay Way (Route 7135) - From Clayborne Lane (Route 7133) to Nicolay Place (Route 7136)	0.06 Mi.
<u>Clayborne Village B</u> (Effective 2/28/2007)	
Nicolay Way (Route 7135) - From 0.06 mile northwest of Clayborne Lane (Route 7133) to temporary end of maintenance	0.05 Mi.
<u>Clayborne Village C</u> (Effective 2/28/2007)	
Clayborne Lane (Route 7133) - From 0.03 mile north of Nicolay Way (Route 7135) to cul-de-sac	0.07 Mi.
<u>Founders Bridge, Section 4</u> (Effective 2/28/2007)	
Pine Vale Place (Route 7100) - From Founders Bridge Road (Route 7062) to 0.09 mile east of Founders Bridge Road (Route 7062)	0.09 Mi.
Pine Vale Place (Route 7100) - From 0.09 mile east of Founders Bridge Road (Route 7062) to Pine Vale Place (Route 7100)	0.09 Mi.
<u>Greenham At Longmeadow</u> (Effective 3/6/2007)	
Greenham Court (Route 7127) - From Greenham Drive (Route 7126) to cul-de-sac	0.11 Mi.

Greenham Drive (Route 7126) - From Longmeadow Circle (Route 5131) to Greenham Court (Route 7127)	0.03 Mi.
Greenham Drive (Route 7126) - From Greenham Court (Route 7127) to cul-de-sac	0.04 Mi.
<u>Ivyridge, Section B</u> (Effective 3/28/2007)	
Grove Place (Route 1535) - From 0.05 mile east of Ivyridge Drive (Route 5319) to Ivyridge Drive (Route 5319)	0.05 Mi.
Ivyridge Drive (Route 5319) - From Ivytree Terrace (Route 5866) to cul-de-sac	0.12 Mi.
Ivyridge Drive (Route 5319) - From 0.02 mile east of Ivyridge Turn (Route 5349) to Ivyridge Terrace (Route 5865)	0.07 Mi.
Ivyridge Drive (Route 5319) - From Ivyridge Terrace (Route 5865) to Ivytree Terrace (Route 5866)	0.07 Mi.
Ivyridge Terrace (Route 5865) - From Ivyridge Drive (Route 5319) to cul-de-sac	0.07 Mi.
Ivytree Terrace (Route 5866) - From Ivyridge Drive (Route 5319) to cul-de-sac	0.04 Mi.
<u>Queens Grant 3</u> (Effective 2/28/2007)	
Brewton Way (Route 5860) - From 0.10 mile east of Brewton Terrace (Route 5861) to Riverdowns South Drive (Route 5744)	0.01 Mi.
Riverdowns South Drive (Route 5744) - From Brewton Way (Route 5860) to temporary end of maintenance	0.03 Mi.
Riverdowns South Drive (Route 5744) - From Kings Farm Drive (Route 5739) to Brewton Way (Route 5860)	0.26 Mi.
<u>Southshore Shops at Blackwood</u> (Effective 2/28/2007)	
Southshore Point Drive (Route 7121) - From Southshore Drive (Route 4777) to temporary end of maintenance	0.17 Mi.
<u>Tarrington, Section 4</u> (Effective 2/28/2007)	
Chatwell Road (Route 7112) - From Welby Drive (Route 7102) to temporary end of maintenance	0.03 Mi.
Hanwell Court (Route 7113) - From Welby Drive (Route 7102) to cul-de-sac	0.10 Mi.
Sherfield Court (Route 7107) - From Sherfield Road (Route 7101) to cul-de-sac	0.02 Mi.

Welby Court (Route 7108) - From Welby Drive (Route 7102) to cul-de-sac	0.09 Mi.
Welby Drive (Route 7102) - From Chatwell Road (Route 7112) to Hanwell Court (Route 7113)	0.04 Mi.
Welby Drive (Route 7102) - From Welby Court (Route 7108) to Welby Terrace (Route 7109)	0.07 Mi.
Welby Drive (Route 7102) - From Welby Place (Route 7111) to Chatwell Road (Route 7112)	0.06 Mi.
Welby Drive (Route 7102) - From Welby Turn (Route 7114) to cul-de-sac	0.05 Mi.
Welby Drive (Route 7102) - From Hanwell Court (Route 7113) to Welby Turn (Route 7114)	0.04 Mi.
Welby Drive (Route 7102) - From Welby Terrace (Route 7109) to Welby Place (Route 7111)	0.08 Mi.
Welby Mews (Route 7110) - From Welby Drive (Route 7102) to cul-de-sac	0.18 Mi.
Welby Place (Route 7111) - From Welby Drive (Route 7102) to cul-de-sac	0.06 Mi.
Welby Terrace (Route 7109) - From Welby Drive (Route 7102) to cul-de-sac	0.06 Mi.
Welby Turn (Route 7114) - From Welby Drive (Route 7102) to cul-de-sac	0.11 Mi.
<u>Tarrington, Section 5</u> (Effective 2/28/2007)	
Ashwell Drive (Route 5843) - From 0.01 mile north of Sherfield Road (Route 7101) to Wilcot Drive (Route 7123)	0.09 Mi.
Ashwell Drive (Route 5843) - From Wilcot Drive (Route 7123) to Grantly Court (Route 7124)	0.07 Mi.
Ashwell Drive (Route 5843) - From Grantly Court (Route 7124) to temporary end of maintenance	0.03 Mi.
Chatwell Road (Route 7126) - From Henlow Drive (Route 7125) to temporary end of maintenance	0.02 Mi.
Chatwell Road (Route 7126) - From Henlow Drive (Route 7125) to cul-de-sac	0.06 Mi.
Grantly Court (Route 7124) - From Ashwell Drive (Route 5843) to cul-de-sac	0.03 Mi.
Henlow Drive (Route 7125) - From Wilcot Drive (Route 7123) to Chatwell Road (Route 7126)	0.09 Mi.
Wilcot Drive (Route 7123) - From Henlow Drive (Route 7125) to cul-de-sac	0.08 Mi.

Wilcot Drive (Route 7123) - From Ashwell Drive
(Route 5843) to Henlow Drive (Route 7125) 0.23 Mi.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

10. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Ms. Bonnie Butz, a resident of Stonemill Subdivision, expressed concerns relative to environmental issues regarding development occurring in wetlands and a retention pond in the vicinity of her property. She stated, when she purchased her home, she was told that no one could build on the wooded area next to the property because it was a protected wetland. She further stated a retention pond was built in the wooded area after trees were removed for development, and the residents were told that it would only be there two to three months. She stated the pond is a dumping ground for debris and expressed concerns relative to snakes and other animals in the area of the pond.

Mr. Miller requested that staff meet with Ms. Butz regarding her concerns.

11. DINNER

On motion of Mr. King, seconded by Mr. Miller, the Board recessed to the Administration Building, Room 502, for dinner.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Reconvening:

12. INVOCATION

Reverend Margaret Kutz, Senior Pastor of Chester United Methodist Church, gave the invocation.

13. PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

Eagle Scout Joseph Seifert led the Pledge of Allegiance to the flag of the United States of America.

14. RESOLUTIONS

14.A. RECOGNIZING MR. JAMIE ACCASHIAN, PRINCIPAL OF COMMUNITY HIGH SCHOOL, AS THE RECIPIENT OF THE 2007 R.E.B. AWARD FOR DISTINGUISHED EDUCATIONAL LEADERSHIP

Mr. Kappel introduced Mr. Jamie Accashian, who was present at the meeting.

On motion of the Board, the following resolution was adopted:

WHEREAS, Chesterfield County, Virginia enjoys a national reputation as a locality that has a public school system noted for its leadership and excellence; and

WHEREAS, that reputation is built upon the experience, expertise and commitment of many outstanding men and women devoted to educating our young people; and

WHEREAS, Mr. Jamie Accashian, principal of Chesterfield Community High School, is one of these committed professionals; and

WHEREAS, Mr. Accashian has been selected as the 2007 R.E.B. Award for Distinguished Educational Leadership; and

WHEREAS, this award recognizes Richmond-area principals whose efforts create an exceptional educational environment for the students entrusted to their care; and

WHEREAS, Mr. Accashian joined the Chesterfield County Public Schools system in 1982 as head football coach; and

WHEREAS, Mr. Accashian also served as a teacher at Meadowbrook High School in 1991, where he created and led a pilot program that later led to creation of Chesterfield Community High, the county's alternative high school for students at risk of dropping out of school due to academic, behavioral or social problems; and

WHEREAS, Mr. Accashian led the new school, which opened in 1998, to full accreditation in 2006; and

WHEREAS, Mr. Accashian received a \$7,500 cash grant as part of his R.E.B. Award; and

WHEREAS, Community High School also received a \$7,500 award as a result of Mr. Accashian's selection as this year's R.E.B. Award recipient; and

WHEREAS, Mr. Accashian's noteworthy commitment to providing young people with opportunities to succeed is worthy of recognition by the residents of Chesterfield County.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 25th day of April 2007, publicly recognizes Mr. Jamie Accashian, extends its sincere appreciation, on behalf of all county residents, for his dedication to the youths of Chesterfield County, congratulates him on receiving the R.E.B. Award for Distinguished Educational Leadership, and wishes him continued success in all his endeavors.

AND, BE IT FURTHER RESOLVED, that a copy of this resolution be presented to Mr. Accashian, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County, Virginia.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. King presented the executed resolution to Mr. Accashian, accompanied by Dr. Newsome, thanked him for his dedication to the youth of Chesterfield County, and wished him continued success.

Dr. Newsome stated he is very proud of Mr. Accashian, and Community High School is very special because of a special person like Mr. Accashian.

Mr. Accashian expressed appreciation to the Board for the recognition and stated the award is a result of the great staff at Community High School.

14.B. RECOGNIZING AUXILIARY POLICE OFFICER WADE M. MCCLINTOCK UPON HIS RETIREMENT

Colonel Baker introduced Mr. Wade McClintock, who was present to receive the resolution.

On motion of the Board, the following resolution was adopted:

WHEREAS, Mr. Wade M. McClintock retired from the Chesterfield County Auxiliary Police Unit on February 28, 2007; and

WHEREAS, Mr. McClintock provided 36 years of volunteer service to the citizens of Chesterfield County as an Auxiliary Police Officer, formerly known as Special Police; and

WHEREAS, during his tenure in the Auxiliary Police Unit, Mr. McClintock served as Field Training Officer, Sergeant and Lieutenant; and

WHEREAS, Mr. McClintock also served as Range Officer, Firearms Instructor, and Special Assignment and Call Out Coordinator for several years; and

WHEREAS, Mr. McClintock has assisted in a number of significant high profile investigations; and

WHEREAS, Mr. McClintock was commended for his assistance with the arrest of one of four armed robbery subjects near the Cloverleaf Lake Apartments; and

WHEREAS, Mr. McClintock was instrumental in the successful search for an Alzheimer's subject who had wandered away from home in the Winterpock area, and with the assistance of scent dogs, the individual was found alive and rescued; and

WHEREAS, Officer McClintock received a Unit Citation Award for his dedication and diligence in service to the department as a member of the Auxiliary Police Unit, and his commitment and professionalism provided for a safer and more secure community for the citizens of Chesterfield County; and

WHEREAS, Mr. McClintock has provided the Chesterfield County Police Department with many years of loyal and dedicated volunteer service; and

WHEREAS, Chesterfield County and the Board of Supervisors will miss Mr. McClintock's diligent service.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 25th day of April 2007, publicly recognizes Mr. Wade M. McClintock, and extends on behalf of its members and the citizens of Chesterfield County, appreciation for his service to the county, congratulations upon his retirement, and best wishes for a long and happy retirement.

AND, BE IT FURTHER RESOLVED that a copy of this resolution be presented to Mr. McClintock, and that this resolution be permanently recorded among the papers of this Board of Supervisors of Chesterfield County.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. King presented the executed resolution and a Jefferson Cup to Mr. McClintock, accompanied by members of his family, Captain Perry Hornbarger and Colonel Baker, thanked him for his dedicated service, and wished him well in his retirement.

Captain Hornbarger expressed appreciation to Mr. McClintock for allowing him to ride along 24 years ago on his first shift with the Special Police Unit.

Mr. McClintock expressed appreciation to the Board for the recognition and stated he has been blessed with two great families - his own family and his Police Department family.

14.C. RECOGNIZING BOY SCOUTS UPON ATTAINING THE RANK OF EAGLE SCOUTS

14.C.1. MR. JOSEPH SEIFERT, MIDLOTHIAN DISTRICT

14.C.2. MR. DANIEL MARTIN, MIDLOTHIAN DISTRICT

14.C.3. MR. RYAN CHESTER, MATOACA DISTRICT

14.C.4. MR. JOSHUA TRAYLOR, DALE DISTRICT

14.C.5. MR. JARED RHODES, DALE DISTRICT

14.C.6. MR. MALACHI HUGHES, BERMUDA DISTRICT

14.C.7. MR. LANCE GONZALEZ, BERMUDA DISTRICT

14.C.8. MR. NEIL BISHOP, BERMUDA DISTRICT

14.C.9. MR. NATHAN HUGHES, BERMUDA DISTRICT

14.C.10. MR. CHARLES CRUMP, III, BERMUDA DISTRICT

Mr. Kappel introduced Mr. Joseph Seifert, Mr. Daniel Martin, Mr. Ryan Chester, Mr. Joshua Traylor, Mr. Jared Rhodes, Mr. Malachi Hughes, Mr. Lance Gonzalez, Mr. Neil Bishop, Mr. Nathan Hughes and Mr. Charles Crump, who were present to receive resolutions.

On motion of the Board, the following resolution was adopted:

WHEREAS, the Boy Scouts of America was incorporated by Mr. William D. Boyce on February 8, 1910, and was chartered by Congress in 1916; and

WHEREAS, the Boy Scouts of America was founded to build character, provide citizenship training and promote physical fitness; and

WHEREAS, after earning at least twenty-one merit badges in a wide variety of skills including leadership, service and outdoor life, serving in a leadership position in a troop, carrying out a service project beneficial to their community, being active in the troop, demonstrating Scout spirit, and living up to the Scout Oath and Law

Mr. Joseph Donald Seifert and Mr. Daniel Justin Martin, both of Troop 876, sponsored by Mount Pisgah United Methodist Church; Mr. Ryan Chester, Mr. Joshua Traylor, Mr. Malachi Hughes, Mr. Lance Gonzalez, Mr. Neil Bishop, Mr. Jared Rhodes and Mr. Nathan Hughes, all of Troop 826, sponsored by The Church of Jesus Christ of Latter Day Saints; and Mr. Charles Richard Crump, III, Troop 837, sponsored by Chester Baptist Church have accomplished those high standards of commitment and have reached the long-sought goal of Eagle Scout which is received by only four percent of those individuals entering the Scouting movement; and

WHEREAS, growing through their experiences in Scouting, learning the lessons of responsible citizenship, and endeavoring to prepare themselves for roles as leaders in society, Joe, Daniel, Ryan, Joshua, Malachi, Lance, Neil, Jared, Nathan and Chip have distinguished themselves as members of a new generation of prepared young citizens of whom we can all be very proud.

NOW, THEREFORE, BE IT RESOLVED that the Chesterfield County Board of Supervisors, this 25th day of April 2007, hereby extends its congratulations to Mr. Joseph Donald Seifert, Mr. Daniel Justin Martin, Mr. Ryan Chester, Mr. Joshua Traylor, Mr. Malachi Hughes, Mr. Lance Gonzalez, Mr. Neil Bishop, Mr. Jared Rhodes and Mr. Nathan Hughes, and Mr. Charles Richard Crump, III, and acknowledges the good fortune of the county to have such outstanding young men as its citizens.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

Board members presented the executed resolutions and patches to each of the Eagle Scouts, accompanied by members of their families, congratulated them on their outstanding achievements, and wished them well in his future endeavors.

Each of the scouts provided details of their Eagle Scout project and expressed appreciation to their parents and others for their support.

**15. REQUESTS FOR MANUFACTURED HOME PERMITS AND REZONING
PLACED ON THE CONSENT AGENDA TO BE HEARD IN THE
FOLLOWING ORDER: - WITHDRAWALS/DEFERRALS - CASES WHERE
THE APPLICANT ACCEPTS THE RECOMMENDATION AND THERE IS NO
OPPOSITION - CASES WHERE THE APPLICANT DOES NOT ACCEPT
THE RECOMMENDATION AND/OR THERE IS PUBLIC OPPOSITION
WILL BE HEARD AT SECTION 17**

07HP0269

In Matoaca Magisterial District, MICHAEL AND SHERRY SECKMAN request historic landmark designation and amendment of the zoning district map for FUQUA FARM. The Comprehensive Plan suggests the property is appropriate for single-family residential use of 2.0 units per acre or less. This request lies in an Agricultural (A) District on 1.0 acre and is known as 8700 Bethia Road. Tax ID 720-665-5335.

Mr. Turner presented a summary of Case 07HP0269 and stated the Planning Commission, the Historic Preservation Committee and staff recommended approval.

Michael and Sherry Seckman thanked the Board for the opportunity to designate the property as a historic landmark.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board approved Case 07HP0269.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0226

In Dale Magisterial District, ROUTE 10 REALTY PARTNERS, LLC requests rezoning and amendment of zoning district map from Residential (R-7) to Community Business (C-3) with Conditional Use to permit townhouse and multifamily residential uses plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for mixed use corridor uses and residential use of 1.0-2.5 dwelling units per acre. This request lies on 11.1 acres fronting approximately 100 feet at the southwest terminus of Hill Road approximately 1,800 feet southwest of Canasta Drive. Tax IDs 771-678-5933, 6655, 7473, 8014, 8391, 8724 and 9133; and 772-678-0748, 0858 and 1565.

Mr. Turner presented a summary of Case 07SN0226 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. Brennen Keene, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

Ms. Emmie Hopper, adjacent property owner, expressed concerns that the proposed townhouses would not be aesthetically pleasing and that safety issues would occur as a result of the townhouse development. She stated she appreciates that Hill Road will not be extended, but does not appreciate the change from single-family residential to townhouse development.

There being no one else to speak to the request, the public hearing was closed.

Mr. Keene stated the property has a significant amount of wetlands along the eastern boundary; therefore, the character of the adjacent neighborhood will be preserved. He further stated the development would not connect to Hill or Old Zion Hill Roads, thus providing physical separation between the existing neighborhood and the proposed townhouses.

Mr. Miller stated this development is part of a property that was previously rezoned, and in his opinion, will be a good addition to the county. He further stated the proffered conditions provide assurance that this will be a quality development and address concerns of the neighbors relative to connectivity to Hill and Old Zion Roads.

On motion of Mr. Miller, seconded by Mr. King, the Board approved Case 07SN0226 and accepted the following proffered conditions:

The Owners and the Developer (the "Developer") in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for themselves and their successors or assigns, proffer that the development of the Property known as Chesterfield County Tax Identification Number 771-678-5933, 771-678-6655, 771-678-7473, 771-678-8014, 771-678-8391, 771-678-8724, 771-678-9133, 771-678-9443, 772-678-0748, 772-678-0858, and 772-678-1565 (the "Property or the Hartman Tract") under consideration will be developed according to the following conditions if, and only if, the rezoning request for C-3 with a conditional use planned development (CUPD) is granted. In the event the request is denied or approved with conditions not agreed to by the Developer, the proffers and conditions shall immediately be null and void and of no further force or effect. If the zoning is granted, these proffers and conditions will supersede all proffers and conditions now existing on the Property.

1. Master Plan. The textual statement dated February 9, 2007 shall be considered the Master Plan. (P)
2. Utilities. The public water and wastewater systems shall be used, except for model homes/sales offices not in permanent dwellings and/or construction offices. (U)
3. Timbering. With the exception of timbering which has been approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

4. Density. The maximum number of dwelling units developed on the Property shall be 90. (P)
5. Location of Uses. Any permitted use may be permitted within the same block, street, or section of street in order to facilitate the mixed-use nature of the development. Limitations to this provision are set out in the Textual Statement. (P)
6. Connectivity. There shall be no connection to Hill Road and Old Zion Hill Road from the Property. (T and P)
7. Lighting.
 - A. Except for decorative lighting attached to a building, the maximum height of lampposts shall be 30 feet. Exterior lighting shall meet the requirements of the Zoning Ordinance except that porch lights, lamps, decorative, and period lighting that is in keeping with the pedestrian oriented character of Watermark shall be permitted.
 - B. Streetlight fixtures, poles, and lamp types shall be consistent along a street. The selected streetlight shall be compatible with the pedestrian oriented character of Watermark. The exact type of streetlight(s) and the locations shall be determined at the time of site plan review. (P)
8. Open Space. Within the Property, a minimum of 15 percent of the gross acreage shall be devoted to open space. (P)
9. Age Restriction. Except as otherwise prohibited by the Virginia Fair Housing Law, the Federal Fair Housing Act, and such other applicable federal, state or local legal requirements, dwelling units designated as age-restricted shall be restricted to "housing for older persons; as defined in the Virginia Fair Housing Law and no persons under 19 years of age shall reside therein." (P and B&M)
10. Senior Housing. Any dwelling units designated for senior housing as defined in Proffered Condition 9 shall be noted on the site plan or subdivision plat. Such dwelling units shall be grouped together as part of the same development section(s). (P and B&M)
11. Cash Proffers. The applicant, subdivider, or assignee(s) shall pay the following to the County of Chesterfield prior to the issuance of any residential building permit for infrastructure improvements within the service district for the Property:
 - A. \$15,600.00 per dwelling unit if paid prior to July 1, 2007. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed \$15,600.00 per unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007.
 - B. Provided, however, that if any residential building permits issued on the Property are for senior housing, as defined in the proffer on age-

restriction, the applicant, sub-divider, or assignee(s) shall pay \$10,269.00 per unit to the County of Chesterfield, prior to the time of issuance of a residential building permit, for infrastructure improvements within the service district for the Property if paid prior to July 1, 2007. The \$10,269.00 for any units developed shall be allocated pro-rata among the facility costs as follows: \$602 for parks, \$348 for library facilities, \$404 for fire stations, and \$8,915 for roads. Thereafter, such payment shall be the amount approved by the Board of Supervisors not to exceed \$10,269 per unit as adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006 and July 1 of the fiscal year in which the payment is made if paid after June 30, 2007.

C. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. Should Chesterfield County impose impact fees at any time during the life of the development that are applicable to the Property, the amount paid in cash proffers shall be in lieu of or credited toward, but not in addition to, any impact fees, in a manner as determined by the county. (B&M)

12. Access. There shall be no direct vehicular access from the property to Hill Road or Old Zion Hill Road. (T)

13. Dedication. The following rights-of-way shall be dedicated, free and unrestricted, to Chesterfield County in conjunction with recordation of the initial subdivision plat or prior to the first site plan approval or within sixty (60) days from the date of a written request by the Transportation Department, whichever occurs first:

A. Right of way required to construct a cul de sac at the existing terminus of Hill Road. (T)

14. Covenants. At a minimum, the restrictive covenants shall contain language that addresses the following. Such covenant shall remain in place as long as the Property is used for residential purposes.

Future homeowners of the lots or units within the Property will have notice of the location of the Chesterfield County Airport and its proximity to the Property. Any subdivision plat or location plan used in any condominium documents shall note the location of the Airport and its proximity to the Property. (P)

15. Public Roads. In tracts with townhouse and condominium uses, all roads that accommodate general traffic circulation through the development, as determined by the Transportation Department, shall be designed and constructed to VDOT standards and as set forth in the Textual Statement, and taken into the State System. (T)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Mr. Miller then made motion, seconded by Mr. King, for the Board to approve the waiver to street connectivity requirements to Hill and Old Zion Hill Roads.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

05SN0159

In Matoaca Magisterial District, JOHN G. "CHIP" DICKS requests rezoning and amendment of zoning district map from Agricultural (A) to Residential Townhouse (R-TH) plus Conditional Use Planned Development to permit exceptions to Ordinance requirements. Residential use of up to 8.0 units per acre in a Residential Townhouse (R-TH) District is permitted. The Comprehensive Plan suggests the property is appropriate for mixed use corridor use, single family residential use of 2.0 units per acre or less and conservation: passive recreation use. This request lies on 85.4 acres fronting approximately 460 feet on the south line of Hull Street Road across from Cosby Road. Tax IDs 717-669-2537 and 717-670-1030, 1751, 2877, 5998 and 8050.

Mr. Turner presented a summary of Case 05SN0159 and stated the Planning Commission, on a 4-1 vote, and staff recommended approval and acceptance of the proffered conditions.

Mr. Roger Bowers, representing the applicant, accompanied by Ms. Shelly Schuetz, Vice President for the Hampton Park Community Association, stated the recommendation is acceptable. He provided a copy of a statement from the Hampton Park Community Association supporting the request.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board approved Case 05SN0159 and accepted the following proffered conditions:

1. The Textual Statement, dated January 4, 2007, and the Concept Plan prepared by Townes Site Engineering, dated January 4, 2007, shall be considered the Master Plan. The site shall be developed in general conformance with the Concept Plan. The shaded area on the Concept Plan shall be common area with no townhouse units south of the stream identified by Line "A" on the Concept Plan. (P)
2. The total number of townhouse units shall not exceed 321. (P)
3. The public water and wastewater systems shall be used. (U)
4. The developer or its successors in interest (collectively, the "developer") shall construct a clubhouse building and a pool on the Property to serve the residents of this new townhouse community. The developer shall receive the certificate of occupancy for the clubhouse prior to receiving the building permit for the 200th townhouse unit within the Property. (P)

5. Front-loaded garages shall be located no closer to the street than the front facade of the dwelling unit. (P)
6. Except for timbering approved by the Virginia Department of Forestry for the purpose of removing dead or diseased tress, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices installed. (EE)
7. The developer shall make a payment of \$200 per acre (not to exceed an aggregate payment of \$17,076.00 based upon a total of 85.38 acres) to the County toward the expansion of the Dry Creek Wastewater Pumping Station. These payments shall be made prior to the issuance of the first building permit for a structure to be erected on the Property, unless the developer submits and the County approves a phasing schedule for the payment of such fees in accordance with the phases in which the Property is developed. (U)
8. In conjunction with recordation of the initial subdivision plat or within sixty (60) days of a written request by the Transportation Department, whichever occurs first, 100 feet of right-of-way along Hull Street Road (Route 360), measured from the centerline of that part of the roadway immediately adjacent to the Property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
9. In conjunction with recordation of the initial subdivision plat or within sixty (60) days of a written request by the Transportation Department, whichever occurs first, a ninety (90) foot wide right-of-way for an east/west major arterial ("Ashbrook Parkway") shall be dedicated from the eastern Property line to the western Property line, free and unrestricted, to and for the benefit of Chesterfield County. The exact location of this right-of-way shall be approved by the Transportation Department and shall be generally as shown on the Master Plan. (T)
10. Direct vehicular access to and from the Property onto Route 360 shall be limited to one (1) public road that aligns with the existing crossover at Cosby Road. The intersection of the public road with Route 360 shall be designed and constructed to preclude vehicles exiting the Property from traveling west on Route 360, as determined by the Transportation Department. Prior to tentative subdivision plan approval, an Access Plan for Ashbrook Parkway shall be submitted to and approved by the Transportation Department. Direct vehicular access from the Property to Ashbrook Parkway shall conform to the approved Access Plan. (T)
11. All roads that accommodate general traffic circulation through the development, as determined by the Transportation Department, shall be designed and constructed to VDOT standards and taken into the State System. (T)
12. The developer shall be responsible for:

- a. Construction of two lanes of Ashbrook Parkway to VDOT urban minor arterial standards with a 50 mph design speed, with any modifications approved by the Transportation Department, from its terminus approximately 1000 feet east of Hampton Park Drive to its terminus at Shady Banks Drive; the exact length, location and design of this improvement shall be approved by the Transportation Department;
 - b. Construction of an additional lane of pavement along Route 360 for the entire Property frontage;
 - c. Construction of additional pavement along Route 360 at the public road intersection to provide a separate right turn lane beyond the additional lane identified in 12.b;
 - d. Construction of additional pavement along Route 360 east of the public road intersection to provide an acceleration lane. The exact length of this improvement shall be approved by the Transportation Department;
 - e. Construction of additional pavement along the westbound lanes of Route 360 to provide a left turn lane at the existing crossover that aligns Cosby Road;
 - f. Construction of sidewalk along both sides of Ashbrook Parkway that is to be constructed pursuant to Proffered Condition 12a;
 - g. Construction of additional pavement to provide turn lanes along Ashbrook Parkway at each approved intersection, based on Transportation Department standards; and
 - h. Dedication, free and unrestricted to and for the benefit of Chesterfield County, of any additional right-of-way (or easements) required for these improvements. (T)
13. Prior to any site plan approval, a phasing plan for the improvements identified in Proffered Condition 12 shall be submitted to and approved by the Transportation Department. The approved phasing plan shall require, among other things, that the improvement identified in Proffered Condition 12.a will be open for traffic, as determined by the Transportation Department, prior to issuance of a cumulative total of more than fifty (50) certificates of occupancy on the Property, and the improvements identified in Proffered Conditions 12.b and 12.e will be constructed in conjunction with the initial development on the Property. (T)
14. The developer or its assignee(s) shall pay the following to Chesterfield County for infrastructure improvements within the service district for the Property
- a. Prior to the issuance of the building permit the developer or its assignee(s) shall make a payment to Chesterfield County in the following amounts:
 - i. \$15,600 per dwelling unit, if paid prior to July 1, 2007. At the time of payment, \$15,600 will be allocated pro rata among the facility costs as follows: \$602 for parks and recreation; \$348 for library facilities;

\$8,915 for roads; \$404 for fire stations; and \$5,331 for schools; or

- ii. The amount approved by the Board of Supervisors not to exceed \$15,600 per dwelling unit pro rated as set forth in Proffered Condition 14.a.i. above and adjusted upward by any increase in the Marshall and Swift Building Cost Index between July 1, 2006, and July 1st of the fiscal year in which the payment is made after June 30, 2007.
 - iii. These payments shall be made prior to the issuance of the building permit for each dwelling unit. Should Chesterfield County impose impact fees at anytime during the life of this development that are applicable to the Property, the amount paid as cash proffers shall be in lieu of, or credited toward, but not in addition to, any impact fees, in a manner determined by Chesterfield County.
- b. Transportation Contribution. If the developer provides the Off-Site Improvements, as defined below, approved by the Transportation Department, the cash proffer payment(s) for the roads component set forth in Proffered Condition 14.a. shall be reduced for so long as the Costs, as defined below, of the Off-Site Improvements are of equal or greater value than that which would have been collected through the payment(s) of the roads component of the cash proffer. Once the sum total amount of the cash proffer credit exceeds the Costs of the Off-Site Improvements, as determined by the Transportation Department, thereafter the developer shall commence paying the cash proffer as set forth in Proffered Condition 14.a. For the purposes of this proffer, the "Costs," as approved by the Transportation Department, shall include, but not be limited to, costs to the developer for right-of-way acquisition, engineering, permitting, relocation of utilities and the actual costs of construction (including labor, materials and overhead) for the Off-site Improvements. The "Off-Site Improvements" shall consist of half of the cost of the drainage conveyance structure for the crossing of Dry Creek and construction of Ashbrook Parkway and its sidewalks from the eastern Property line to its current terminus at Shady Banks Drive. The Transportation Department shall review and provide prior written approval of the Costs of the Off-Site Improvements.
- c. Cash proffer payments shall be spent for the purposes proffered or as otherwise permitted by law. (BM & T)
15. In conjunction with the construction of the improvements noted in Proffer 12a, if approved by the owners of the open space the developer shall install the following improvements within the existing recorded open space that parallels Ashbrook Parkway located within Hampton Park. A plan showing these improvements shall be submitted to the Planning Department for approval at the time of submittal of road construction plans for the section of Ashbrook Parkway set forth in Proffer 12a.:
- a. A walking trail/sidewalk along the south side of the existing Ashbrook Parkway within Hampton Park that parallels Ashbrook Parkway to connect to the

existing walking trail/sidewalk on the south side of the existing Ashbrook Parkway and be contiguous with the walking trail/sidewalk that the developer shall install along Ashbrook Parkway within the Property.

- b. Fencing along the southern side of the existing walking trail starting at the southeastern intersection of Hampton Park Drive and Ashbrook Parkway eastward to the existing detention pond south of Ashbrook Parkway. Fencing shall be constructed of white vinyl in a similar style to existing fencing within the Hampton Park subdivision along Otterdale Road or of materials and style that is mutually agreeable to the Hampton Park Community Association, Inc. and the developer at time of installation.
- c. A double row of evergreen trees (at least five feet tall at the time of planting) between the existing walking trail to the south of Ashbrook Parkway and the fence mentioned in Proffer 15b. in the area immediately north of the existing detention pond. This requirement may be waived by the Hampton Park Community Association, Inc., in its reasonable discretion, if installing these trees requires removal of suitable vegetative buffer that already exists in such area. The evergreens shall be installed between 5 feet and 12 feet on center, based on the species selected by the developer for such installation. (P)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0247

In Bermuda Magisterial District, RAY BLACKMORE requests rezoning and amendment of zoning district map from Residential (R-7) to Corporate Office (O-2). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office/residential mixed use uses. This request lies on 0.7 acre and is known as 3256 West Hundred Road. Tax ID 794-655-3890.

Mr. Turner presented a summary of Case 07SN0247 and stated the Planning Commission and staff recommended approval and acceptance of one proffered condition.

Mr. Ray Blackmore stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 07SN0247 and accepted the following proffered condition:

Prior to any site plan approval or within 120 days of approval of this request, whichever occurs first, forty-five (45) feet of right-of-way on the north side of Route 10, measured from the centerline of that part of Route 10 immediately adjacent to the property, shall be dedicated,

free and unrestricted, to and for the benefit of Chesterfield County. (T)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0252

In Bermuda Magisterial District, WILLIAM K. THIBAULT requests rezoning and amendment of zoning district map from Agricultural (A), Community Business (C-3) and General Industrial (I-2) to Light Industrial (I-1) plus proffered conditions on an adjacent parcel zoned Community Business (C-3). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for light industrial use. This request lies on 8.9 acres fronting approximately 630 feet on the east line of Jefferson Davis Highway approximately 4,300 feet north of Ruffin Mill Road. Tax IDs 801-644-1869 and 2341.

Mr. Turner presented a summary of Case 07SN0252 and stated the Planning Commission and staff recommended approval and acceptance of the proffered conditions.

Mr. William Thibault stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 07SN0252 and accepted the following proffered conditions:

1. Uses. For that portion of the property zoned Community Business (C-3) the following uses shall not be permitted:
 - a. Taxidermies
 - b. Park & Ride Lots
 - c. Indoor Flea Markets
 - d. Greenhouses or Nurseries
 - e. Fraternal Uses (P)
2. Dedication. Prior to any site plan approval or within sixty (60) days from a written request by the Transportation Department, whichever occurs first, sixty (60) feet of right-of-way along the east side of Jefferson Davis Highway (Route 1/301), measured from the centerline of that part of Route 1/301 immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
3. Access. Direct vehicular access from the property to Route 1/301 shall be limited to one (1) entrance/exit.

The exact location of this access shall be approved by the Transportation Department. (T)

4. Road Improvements. The developer shall be responsible for the following improvements:

A. Construction of additional pavement along Route 1/301 at the approved access to provide left and right turn lanes, if warranted based on Transportation Department standards.

B. Dedication to Chesterfield County, free and unrestricted, of any additional right-of-way (or easements) required for the improvements identified above. (T)

5. Phasing Plan. Prior to any site plan approval, a phasing plan for the required road improvements, as identified in Proffered Condition 4, shall be submitted to and approved by the Transportation Department. (T)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0260

In Matoaca Magisterial District, RIVERSTONE PROPERTIES, LLC requests amendment to Conditional Use Planned Development (Case 88SN0059) and amendment of zoning district map to permit Corporate Office (O-2) uses. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office/residential mixed use uses. This request lies in a Residential (R-7) District on 5.1 acres lying approximately 860 feet off the west line of Charter Colony Parkway approximately 900 feet south of Rolling Springs Drive. Tax ID 726-697-Part of 4349.

Mr. Turner presented a summary of Case 07SN0260 and stated the Planning Commission and staff recommended approval subject to one condition and acceptance of one proffered condition.

Mr. Andrew Gibb, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board approved Case 07SN0260, subject to the following condition:

The amended Textual Statement, Item II, as attached to this report, shall be considered the amended plan of development for this property. (P)

(Note: All other conditions of Case 88SN0059 remain applicable.)

And, further, the Board accepted the following proffered condition:

The Owner, pursuant to Section 15.2-2298 of the Code of Virginia (1950) (as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffers that the property under consideration, known as approximately 5.12 acres of Chesterfield County Tax Identification Numbers 726-697-4349 (part parcel), will be developed according to the following proffers if, and only if, the rezoning request submitted herewith is granted with only those conditions agreed to by the Owner. In the event this request is denied or approved with conditions not agreed to by the Owner, the proffers and conditions shall immediately be null and void and of no further force of effect:

Timbering. Except for timbering approved by the Virginia State Department of Forestry for the purpose of removing dead or diseased trees, there shall be no timbering on the Property until a land disturbance permit has been obtained from the Environmental Engineering Department and the approved devices have been installed. (EE)

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

07SN0315

In Bermuda Magisterial District, WILLIAM H. AND DORIS HAMBRIGHT request renewal of temporary manufactured home permit 00SR0183 to park a manufactured home in a Heavy Industrial (I-3) District. The density of such amendment is approximately 5 units per acre. The Comprehensive Plan suggests the property is appropriate for general industrial use. This property is known as 8321 Haven Avenue. Tax ID 796-676-2102.

Mr. Turner presented a summary of Case 07SN0315 and stated staff recommends approval, subject to four conditions.

Mr. William Hambright stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mrs. Humphrey, the Board approved Case 07SN0315, subject to the following conditions:

1. Doris Hambright shall be the owner and occupant of the manufactured home. (P)
2. This temporary manufactured home permit shall be granted for a period not to exceed seven (7) years from date of approval. (P)
3. No additional permanent type living space may be added onto this temporary manufactured home. (P)
4. This temporary manufactured home must be skirted and shall not be placed on a permanent foundation. (P)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

07SN0316

In Bermuda Magisterial District, BRANDON SCOTT BENTON AND THOMAS L. GORDON request a temporary manufactured home permit to park a manufactured home in a Residential (R-7) District. The density of such amendment is approximately 2.5 units per acre. The Comprehensive Plan suggests the property is appropriate for residential use of 2.5-4 units per acre. This property is known as 2700 Drewrys Bluff Road. Tax ID 789-680-7058.

Mr. Turner presented a summary of Case 07SN0316 and stated staff recommended approval, subject to four conditions.

Mr. Tom Gordon, representing the applicant, stated the recommendation is acceptable.

Mr. Miller called for public comment.

No one came forward to speak to the request.

On motion of Mr. King, seconded by Mr. Warren, the Board approved Case 07SN0316, subject to the following conditions:

1. The temporary manufactured home shall be occupied by Brandon Scott Benton and his immediate family only. (P)
2. This temporary manufactured home permit shall be granted for a period not to exceed seven (7) years from date of approval. (P)
3. No additional permanent-type living space may be added onto this temporary manufactured home. (P)
4. This temporary manufactured home shall be skirted and shall not be placed on a permanent foundation. (P)

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

06SN0337

In Bermuda Magisterial District, NEAL O. AND ROSEMARY HAGER request Conditional Use and amendment of zoning district map to permit a bed and breakfast and special events business incidental to a dwelling unit. The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for residential use of 2.51 to 4.0 units per acre. This request lies in an Agricultural (A) District on 9.1 acres fronting approximately 160 feet on the north line of Happy Hill Road across from Tarris Lane. Tax IDs 794-644-2068 and 4162.

Mr. King declared a conflict under the Virginia Conflict of Interest Act and excused himself from the meeting, as the outcome of this zoning case could potentially and directly impact a financial interest that he has in his personal business.

Ms. Beverly Rogers presented a summary of Case 06SN0337 and stated since the Planning Commission's consideration of the request, the proffered conditions have been amended to further limit the days and hours of operation; preclude outdoor music and sound systems except for wedding processions; further restrict the number of persons in attendance at any event; limit the number of guests for the bed and breakfast; and address the sale of alcohol in a manner that is acceptable to the County Attorney. She further stated the Planning Commission and staff recommended denial because the proposed commercial use of the property fails to comply with the Southern and Western Area Plan, and many of the proffered conditions will be difficult, if not impossible, for staff to monitor and enforce.

In response to Mr. Miller's question, Ms. Rogers stated the original Proffered Condition 12 has been withdrawn, and Proffered Condition 13 addresses the sale of alcohol, with language acceptable to the County Attorney's office.

Ms. Carrie Coyner, representing the applicant, provided photos of the subject property. She stated the property is 10 acres in size, with 782 feet from the front of the home to Happy Hill Road; 308 feet from the rear of the home to the tree line which faces the Villages of Longmeadow; and another 359 feet from the tree line to Longmeadow. She stated there are more than four acres of woods between the applicants' home and the closest Longmeadow property line. She also provided details of changes that have been made to the proffered conditions in an attempt to make the use as compatible as possible with neighboring property owners. She requested the Board's approval, indicating that noise concerns have been adequately addressed; adequate limitations have been placed on the use so that there will be no impact on the neighboring community; the use provides an amenity for the community; and the immediate neighbors support the request.

Mr. Miller called for public comment.

Mr. Mel Kilniver, homeowners' representative on the Board of Directors for Longmeadow Homeowners Association, stated the request should be denied because granting the request would set a precedent for similar proposals to allow commercial businesses in residential areas and would also negatively impact the property values of area residents.

Mr. Brian Schakel, a resident of the Villages of Longmeadow, stated he does not support the request because the business has been operating without a conditional use permit since late 2005. He further stated when the applicants were asked to remove the large sign because of a zoning violation, they replaced it with a smaller sign. He stated the applicants were found guilty of criminal unreasonably loud noise in the General District Court in October 2006 and continue to tell the Police Department that they are holding large, family events, but have at least 13 ABC licenses for these events. He expressed concerns that events are planned at the facility through October 2007. He requested that the Board deny the request and force the business to immediately cease its operations.

Mr. Mitch Vassar, a Longmeadow resident, expressed concerns relative to noise, resale of homes in the area, and dangerous road conditions on Happy Hill Road.

Mr. Bernard Thorne, a resident of the Villages of Longmeadow, requested that the Board deny the rezoning request.

Mr. Alan Swann, adjoining resident on Happy Hill Road, stated he supports the request and has no problem with noise associated with the business.

Ms. Audra Branzelle, who owns the property on Happy Hill Road closest to the subject property and is currently building a home there, stated her property has been in the family for several generations and was given to her by her father under the condition that she never sell it, indicating that she intends to be a lifelong resident of the property. She further stated she supports the Hagers' zoning request and could not ask for better neighbors.

Mr. Frank Sheffield, accompanied by his wife Janet, who live on Happy Hill Road to the east of the Hager property, stated he supports the request and does not hear any noise coming from gatherings on the property.

Ms. Janet Sheffield, a resident of 14011 Happy Hill Road, provided details of an unfounded complaint to the Police Department of noise coming from the Hager property in October 2006 and suggested that Board members review the findings of that complaint. She stated she fully supports the proposal and believes the business will be an asset to the community.

Ms. Rosemary Ellis, a resident of 14121 Happy Hill Road, stated she supports the request and never hears any noise coming from the business at her house. She noted that the Hagers do not sell alcohol at events, but allow people to bring it to the facility.

Mr. Hartman, a resident of the community, stated he does not support the request, indicating that he has driven through the area and heard the noise.

Mr. Freddie Katabulta, a resident of Longmeadow, stated he does not support the request because the zoning is not appropriate for commercial development. He expressed concerns relative to decreased property values and additional businesses on Happy Hill Road if the Board approves the request. He requested that the Board deny the request and keep the area residential.

Dr. Tasau, President of the Longmeadow Homeowners Association Senate and a member of the Board of Directors for Longmeadow, strongly requested that the application be denied for the good of the community. He stated Longmeadow residents moved to the suburban area to get away from the noise of the inner cities. He expressed concerns that a member of the Board has a financial interest in this business and stated it would not be wise for the Board to approve the request.

Mr. Brent Sheffield, accompanied by his wife Beverly, who live next door to the subject property, stated the applicants have done everything possible to address the neighbors' issues, indicating that he supports the proposal.

Mrs. Beverly Sheffield stated she does not understand the Longmeadow residents' concerns regarding property values, indicating that her property value on Happy Hill Road has done nothing but increase. She further stated she has seven grandchildren, and if she thought there would be any problems with the proposal, she would not support the request.

Ms. Ann Bane, a resident of Oxley Subdivision within the Villages of Longmeadow, expressed concerns relative to noise, use of alcohol, and additional traffic on Happy Hill Road. She stated there is a dangerous blind curve right next to the residence, and she has seen many accidents on Happy Hill Road as a member of Bensley-Bermuda Rescue Squad. She requested that the Board consider the Planning Commission's recommendation and deny the request.

Ms. Andrea Epps stated the proffered conditions limit the decibel level, the number of events and the number of guests. She further stated the proposal will preserve the agricultural value of the property and is superior to other uses. She stated the property could be subdivided for 33 houses, which would provide much more traffic than the proposed use. She further stated, in her opinion, this is a good use, indicating that more bed and breakfast facilities are needed in the county.

Mr. David Peatt, a resident of Nottingham Court, expressed concerns relative to excessive noise coming from events on the property. He stated he hopes the Board will deny the request.

Ms. Flora Jones, Senate representative for Somersby Subdivision in the Villages of Longmeadow, expressed concerns that this is not an appropriate location for this type of business. She stated the Hagers have been found guilty of noise violations. She further stated the residents have worked with the applicants and their attorney and have agreed on conditions that would be feasible if the request were to be approved, but they never agreed to approve the business at this location. She stated she lives in the far end of Somersby, and the noise is very audible. She requested that the Board deny the request.

There being no one else to speak to the request, the public hearing was closed.

Ms. Coyner stated the Hagers started their business after acquiring a business license from the county and were unaware that a conditional use permit was needed. She further stated the business had been in operation for over a year when the Hagers found out through word of mouth that they needed a conditional use permit and have taken the necessary steps to make their business a legal use. She stated the Hagers felt they did not have a choice but to continue holding events that were scheduled well in advance because of the commitments they had made. She further stated, after the Planning Commission's hearing of the case, the Hagers made a decision to no longer have music outside to address neighbors' concerns. She stated the Hagers have worked very hard at opening up their home to young couples who want to get married and have a wedding in Chester. She further stated they are providing a wonderful service to the

community and requested the Board's approval of the conditional use permit.

Mr. Miller expressed concerns that the business has not been operating legally and stated he is not inclined to approve the conditional use permit for one year, as requested. He further stated both the Planning Commission and staff are recommending denial and the Southern and Western Area Plan does not support the proposal.

Ms. Coyner provided dates for events that were planned prior to the Hagers filing an application for a conditional use permit - May 19 and 26; June 2 and 9; July 7; September 1, 22 and 29; and October 20 and 27, 2007.

Mr. Miller stated he is inclined to deny the case in its entirety; but as a father of two daughters, he understands the anguish involved in making wedding plans.

Mr. Miller then made a motion for the Board to approve Case 06SN0337 and acceptance of Proffered Conditions 1, 2b, 3 through 13 with Proffered Condition 12 having previously been withdrawn; and in lieu of Proffered Condition 2a and 14, imposition of two conditions - 1) designating the dates provided by Ms. Coyner as the only dates the special events business shall be conducted, and limiting the number and hours of the special events; and 2) providing that the conditional use shall expire on October 28, 2007.

Mr. Miller also noted that he does not intend to support renewal of the conditional use after it expires.

Mrs. Humphrey seconded Mr. Miller's motion reluctantly, indicating that she thinks the Longmeadow residents have a misconception about the conditional use request. She stated the property surrounding Longmeadow is currently zoned agricultural, and this conditional use request would have been an excellent opportunity for a buffer to separate their property and the subject property.

Mr. Sowder stated he will support the motion with considerable reluctance because this is a huge piece of property, and he has never seen an applicant work harder to try to satisfy the needs of the community. He further stated denying the request could open Longmeadow properties up to more adverse impacts if the subject property were sold for development.

Mr. Miller stated he shares some of the same concerns about the future of the subject property.

Mr. Warren stated although a bed and breakfast use might be appropriate for this property, he will support the motion on the recommendation of the Planning Commission and staff.

Mr. Miller then called for a vote on his motion, seconded by Mrs. Humphrey, for the Board to approve Case 06SN0337, subject to the following conditions:

1. Except as stated herein, the Special Events business shall only be conducted on the following dates; No more than one special even shall be conducted on the

following dates; and the hours of such special events shall be limited to between 1:30 pm and 9:00 pm.

May 19, 2007
May 26, 2007
June 2, 2007
June 9, 2007
July 7, 2007
September 1, 2007
September 22, 2007
September 29, 2007
October 20, 2007
October 27, 2007

When the special even is a wedding, an event related to the wedding may be held on the Friday before the wedding from 6:00pm-9:30pm. (P)

2. This Conditional Use shall expire on October 28, 2007. (P)

And, further, the Board accepted the following proffered conditions:

The Owner-Applicant in this zoning case, pursuant to Section 15.2-2298 of the Code of Virginia (1950 as amended) and the Zoning Ordinance of Chesterfield County, for itself and its successors or assigns, proffers that the development of the properties known as Chesterfield County Tax IDs 794-644-4162-00000 (6.8 acres) and 794-644-2068-00000 (2.3 acres) from A to A with a conditional use permit to operate a bed and breakfast and special events business incidental to a dwelling unit will be developed as set forth below; however, in the event the request is denied or approved with conditions not agreed to by the Owner-Applicant, these proffers and conditions shall be immediately null and void and of no further force or effect.

1. This Conditional Use shall be granted to and for Neal O. and/or Rosemary Hager, exclusively, and shall not be transferable or run with the land. (P)
2. The days and hours of operation are set forth as follows:

The Bed and Breakfast may be open to the public on Tuesday through Saturday with a check-in time from 2:00 p.m. to 9:00 p.m. and check out time of 11:00 a.m. (P)
3. Outdoor music and sound equipment shall not be permitted except for a wedding procession.
4. No vendor deliveries shall be permitted before 9:00 a.m. or after 7:00 p.m. (P)
5. The bed and breakfast and special events uses shall be designed and operated so as not to generate noise levels above 46 dB(a), as measured at the boundaries of Tax Ids 794-644-7898-00000, 794-644-8594-00000, 794-645-6510-00000, and 794-645-7103-00000. (P)
6. No exterior lighting shall be higher than twenty (20) feet. Any temporary exterior lighting that is used for a

special event shall be directed away from the boundaries of Tax Ids 794-644-7898-00000, 794-644-8594-00000, 794-645-6510-00000, and 794-645-7103-00000. No laser lights shall be used. (P)

7. Other than normal maintenance and cosmetic enhancements, there shall be no exterior additions or alterations to existing structures, nor any new construction, to accommodate this use. This does not restrict the Owners from periodic use of tentage with flooring, concourse and marquee for special events. This does not restrict the Owners from providing necessary accommodations for the handicapped such as ramps. (P)
8. One (1) sign, a maximum of nine (9) square feet in area shall be permitted to identify both the Bed and Breakfast and Special Events Business. (P)
9. Within 120 days of approval of this request, forty-five (45) feet of right-of-way on the north side of Happy Hill Road, measured from the center-line of the roadway immediately adjacent to the property, shall be dedicated, free and unrestricted, to and for the benefit of Chesterfield County. (T)
10. Direct vehicular access from the property to Happy Hill Road shall be limited to one (1) entrance/exit as approved by the Transportation Department. (T)
11. The maximum number of guests shall be as follows:
 - a) Special Events: Attendance at special events shall be restricted to a maximum of 100 individuals at any one (1) function.
 - b) Bed and Breakfast: Occupancy shall be restricted to a maximum of eight (8) guests. (P)
12. All special events shall be one of two types: (1) a special event at which alcohol is allowed to be served or (2) a special event at which alcohol is not allowed to be served. The last hour of any special event at which alcohol is allowed to be served shall automatically convert to a special event at which alcohol is not allowed to be served. (P)

Ayes: Miller, Humphrey, Sowder and Warren.

Nays: None.

Absent: King.

Mr. Miller requested a five-minute recess.

Reconvening:

Mr. King returned to the meeting.

02SN0176

In Midlothian Magisterial District, DONALD K. SPRIGGS requests rezoning and amendment of zoning district map from Residential (R-15) to Neighborhood Office (O-1). The density of such amendment will be controlled by zoning conditions or Ordinance standards. The Comprehensive Plan suggests the property is appropriate for office use. This request lies on 0.4 acre and is known as 2743 Buford Road. Tax ID 755-720-0315.

Ms. Rogers presented a summary of Case 02SN0176 and stated the Planning Commission and staff recommended approval, subject to one condition, which addresses the Transportation Department's concerns relative to access to Buford Road.

Mr. Ronald Spriggs provided current photos of the subject property and surrounding area for the Board's review, depicting a sidewalk that has recently been constructed. He noted that the photos provided by staff are not current. He stated, although he is not requesting direct vehicular access to Buford Road, he is requesting that access not be precluded. He further stated the Planning Commission recommended the imposition of a condition based on inaccurate information, indicating that the Transportation Department's presentation to the Commission was flawed to such an extent that it should not have been relied on. He referenced Section 19-662(1)(b) of the County Code, which states, "Any parcel of lot in existence prior to August 12, 1987 that has frontage along an arterial or collector shall be permitted only one direct access from the parcel or lot." He stated the Transportation Department referred to the subject property in the staff analysis as having a single family home that was constructed about 60 years ago and ignored the fact that over many years since the 1960's, the structure has been used as a residence and office; an antique store; a real estate office; a consulting firm; and currently as a mortgage company office. He further stated the Transportation Department assumed that a change in use is contemplated from single-family residence to a business use, but that is not accurate since the structure has not been a residence since at least 1990. He stated he is not requesting a change in use. He went on to provide details of the number of average daily trips that Transportation staff indicated would be generated by the business use, and once again noted that no change in use is contemplated. He provided details of various traffic counts provided by staff in the past several years for Buford Road and inquired how the number of trips per day could have decreased in the past 17 years. He provided details of the Bon Air Community Plan, adopted in 1986, which supports the conversion to business use of two residences which lie in the center core, one of which is located on the subject property, because of their diminished use as residences. He noted that nothing in the Plan precluded direct access onto Buford Road. He presented a petition in support of the request, signed by numerous area residents and business owners, indicating that the condition imposed by staff is unwarranted and unnecessary. He requested that the Board not preclude vehicular access from the subject property to Buford Road.

Mr. Miller called for public comment.

No one came forward to speak to the request.

In response to Mr. Sowder's question, Mr. Spriggs stated he has owned the subject property for 13 years and has no plans to change the current mortgage company office use or to sell the property at this time.

In response to Mr. Sowder's questions, Ms. Rogers stated, although the subject property is not zoned for office use, the Bon Air Community Plan does suggest that it is appropriate for office use. She further stated the purpose of the code section Mr. Spriggs referred to was to address property as it existed at the time of adoption of the ordinance and to make sure that property was not subdivided, resulting in a multitude of access points. She noted that certain access limitations are often necessary with rezoning requests.

Mr. Sowder stated, in his opinion, it is significant that the applicant did not request access to Buford Road.

In response to Mr. Sowder's question, Mr. McCracken stated staff's recommendation to preclude vehicular access to Buford Road was not due to traffic volume, but because of turning movements on and off of Buford Road. He further stated staff's recommendation is based on what could be developed on the site, rather than the current use.

Mr. Sowder stated the request has strong support from the Bon Air residents and business owners. He further stated a buffer is not necessary because this has already been addressed through sidewalks and landscaping.

Discussion ensued relative to access from surrounding properties to Buford Road.

Mr. McCracken stated staff attempts to require access points on minor streets rather than major streets.

Mr. Sowder stated the Bon Air Village is unique; the applicant has provided additional information; and there is community support for the proposal.

Mr. Sowder then made a motion for the Board to approve Case 02SN0176, with no conditions.

Mrs. Humphrey seconded Mr. Sowder's motion, stating that she understands that the intent of the Plan for the subject property was to prevent a multitude of accesses for landowners who subdivide their property, and the applicant has not proposed any changes to the use on the property.

Mr. Miller called for a vote on the motion of Mr. Sowder, seconded by Mrs. Humphrey, for the Board to approve Case 02SN0176.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

16. PUBLIC HEARINGS

16.A. TO CONSIDER PROPOSED ORDINANCE AMENDMENTS RELATING TO DEPARTMENT OF UTILITIES FEE CHANGES

Mr. Carmody stated this date and time has been advertised for a public hearing for the Board to consider amendments relating to Department of Utilities fee changes.

Mr. Miller called for public comment.

Mr. Tyler Craddock, representing the Homebuilding Association of Richmond, stated he does not support fee increases that make housing more expensive for consumers, but recognizes the significant investments planned for utilities over the next few years. He further stated the association is not objecting to the proposed fee increases, but remains concerned about the cost of housing and encouraged the county to continue to look at policies and ordinances in an attempt to make housing more affordable.

There being no one else to speak to the ordinance amendments, the public hearing was closed.

On motion of Mrs. Humphrey, seconded by Mr. King, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY AMENDING
AND RE-ENACTING SECTIONS 18-22 AND 18-27 RELATING TO
CONNECTION
FEES AND UTILITY CHARGES

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Sections 18-22 and 18-27 of the Code of the County of Chesterfield, 1997, as amended, are amended and re-enacted to read as follows:

Sec. 18-22. Connection fees.

(a) The water connection fee shall be the capital cost recovery charge plus the meter installation charge based on the size of the water meter that the director installs. The wastewater connection fee shall be the capital cost recovery charge for the size of the water meter that serves the property, or, if the property does not receive water service, the size of the water meter that would serve the property if it received water service.

(b) The capital cost recovery charge shall be:

Customer Class	Meter Size (inches)	Number of ERU's per Unit	Capital Cost Recovery Charge	
			Water	Wastewater
(i) For a dwelling, single-family, including townhouses, mobile homes that are not located in a mobile home park, and individually metered multi- family dwelling	5/8	1.00	\$3,970.00	\$2,370.00

units.

(ii) For a dwelling, two-family (per unit)	5/8	1.00	3,970.00	2,370.00
(iii) For mobile homes that are located in a mobile home park and for master metered multiple-family dwellings other than multiple- family dwellings used exclusively as housing for colleges and/or universities (per unit)		0.85	3,375.00	2,015.00
(iv) For all other customer classes	5/8	1.00	3,970.00	2,370.00
	1	2.50	9,925.00	5,925.00
	1 1/2	5.00	19,850.00	11,850.00
	2	8.00	31,760.00	18,960.00
	3	16.00	63,520.00	37,920.00
	4	25.00	99,250.00	59,250.00
	6	50.00	198,500.00	118,500.00
	8	80.00	317,600.00	189,600.00
	10	115.00	456,550.00	272,550.00
	12	155.00	615,350.00	367,350.00

The capital cost recovery charge for meters that are larger than 12 inches shall be determined by the director based on the number of ERUs per unit.

(v) The capital cost recovery charge for a dwelling that is served by a meter that is larger than five-eighths inch shall be the same capital cost recovery charge in subsection (b)(iv).

(c) The meter and water service line installation charge shall be:

(1) For installing water service lines:

5/8"	\$ 777.00
1"	981.00
1 1/2"	1,641.00
2"	1,836.00

(2) For installing meters:

5/8"	\$ 35.00
1"	90.00
1 1/2"	205.00
2"	250.00

(3) For installing residential outside use meters using existing service lines: \$375.00.

(4) The meter and water service line installation charge for meters that are larger than two inches shall be the actual cost that the county incurred to install the meter plus 25 percent.

(d) The consumer shall construct, at his expense, the wastewater lateral to serve the property.

(e) Residential property owners who apply for a utility connection may pay the connection fee in 36 monthly installments. Interest at a rate of two percent above the prime rate that is published in the Wall Street Journal on the day that the residential consumer executes the installment contract shall be added to all connection fees that are paid in installments. The residential consumer shall also pay an installment contract loan handling fee of three percent and a lien recording fee that is equal to the lien recording fee that is charged by the clerk of the circuit court of Chesterfield County at the time that the residential consumer applies to connect to the utility system.

(f) No capital cost recovery charge shall be charged for a meter that is five-eighths of an inch in size or smaller which serves any business that is located in an Enterprise Zone designated by the Commonwealth of Virginia if the business is connecting to the county utility system for the first time. This exemption shall continue for the life of the Enterprise Zone.

(g) When the board of supervisors approves a utility extension that is funded in whole or in part by the Federal Community Development Block Grant Program, the board of supervisors may eliminate connection fees for property on which an existing residence is located and which is served by the extension for customers who apply for service within 30 days after the extension is completed.

(h) The capital cost recovery charge shall be the charge that is in effect on the date that the customer applies for service except that, when the board of supervisors approves funding for a utility extension to a developed area, the capital cost recovery charge for customers who apply for service within 30 days after the extension is completed shall be the capital cost recovery charge that was in effect when the board approved the extension.

o o o

Sec. 18-27. Utility charges.

Effective July 1, 2007, the consumer shall pay charges for utility service in accordance with the following schedules:

(a) *Monthly service charges.* The monthly service charge shall be:

(1) *Customer cost charge.* A customer cost charge of \$1.70 for each service account. However, customers who have only a water account or a wastewater account shall pay a customer cost charge of \$3.40.

(2) *Commodity cost charge.*

(i) Water: \$1.24 per 100 cubic feet (Ccf).

(ii) Wastewater: \$1.31 per 100 cubic feet (Ccf).

(3) *Capacity cost charge.*

<i>Customer Class</i>	<i>Meter Size (inches)</i>	<i>Number of ERU's per Unit</i>	<i>Monthly Capacity Charge</i>	
			<i>Water</i>	<i>Wastewater</i>
(i) Dwelling, single-family, including townhouses and mobile homes that are not located in a mobile home park	5/8	1.00	\$3.48	\$9.20
(ii) Dwelling, two- family (per unit)	5/8	1.00	3.48	9.20
(iii) Mobile homes that are located in a mobile home park and multiple-family dwellings other than multiple- family dwellings used exclusively as housing for colleges or universities (per unit)		0.85	2.96	7.82
(iv) All other customer classes	5/8 and 3/4	1.00	3.48	9.20
	1	2.50	8.70	23.00
	1 1/2	5.00	17.40	46.00

2	8.00	27.84	73.60
3	16.00	55.68	147.20
4	25.00	87.00	230.00
6	50.00	174.00	460.00
8	80.00	278.40	736.00
10	115.00	400.20	1,058.00
12	155.00	539.40	1,426.00

(v) The capacity cost charge for a dwelling that is served by a meter that is larger than five-eighths inch shall be the capacity cost charge in subsection (a)(3)(iv).

(b) *Ancillary charges.*

	<i>Type</i>	<i>Charge</i>
(1)	Portable water meter deposit	\$750.00
(2)	Bacteriological test for new construction	21.50 per test
(3)	Meter testing charges	
	(i) 5/8-inch	30.00
	(ii) 1-inch	30.00
	(iii) 1 1/2-inch	40.00
	(iv) 2-inch	40.00
(v)	Meters that are larger than two inches will be charged the actual cost of the test.	
(4)	Temporary voluntary meter disconnection fee	Customer cost charge plus capacity costs charge for each billing period of disconnection, plus service reconnection fee.
(5)	Strong waste surcharge	(See section 18-107.)
(6)	Septage dumping charge	\$25.00 per 1,000 gallons

- (c) The water volume for residential consumers who are connected to the wastewater system but not to the water system shall be 0.296 hundred cubic feet per day. Non-residential consumers who are connected to the wastewater system but not to the water system shall install a private meter approved by the director. The volume shall be based on the private meter reading.
 - (d) A consumer who has paid a connection fee shall pay the monthly service charge and ancillary charges, irrespective of whether the consumer is actually receiving utility service.
 - (e) Significant industrial users shall pay a surcharge for the cost of treating excessive strength waste or pollutants in accordance with article IV.
 - (f) When a water meter is tested at the consumer's request and the test establishes that the meter is inaccurate according to industry standards (AWWA C700a-91, section 3.8, Registration Accuracy) the consumer shall not be assessed the meter testing charge.
- (2) *That this ordinance shall become effective July 1, 2007.*

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**16.B. TO CONSIDER AN ORDINANCE REPEALING SECTION 4-24 OF
THE CODE OF THE COUNTY OF CHESTERFIELD REGARDING
DANGEROUS AND VICIOUS DOGS**

Mr. Mincks stated this date and time has been advertised for a public hearing for the Board to consider an ordinance repealing Section 4-24 of the County Code relating to dangerous or vicious dogs. He further stated repealing this code section would allow the county to rely on the Code of Virginia, which provides for a Class 6 Felony penalty for offenses involving dangerous or vicious dogs, which a violation of the County Code will not permit. He stated the Police Department has been following state law regarding dangerous and vicious dogs and taking advantage of the harsher penalties and will continue this practice by repealing this code section.

In response to Mr. Miller's question, Mr. Mincks stated, if the Board were to amend the County Code and bring it into conformance with the Code of Virginia, a violation of the provision would limit the penalty to a misdemeanor; but, by repealing the County Code section dealing with dangerous and vicious dogs, the Police Department can take advantage of a higher penalty.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mr. Warren, seconded by Mr. Sowder, the Board adopted the following ordinance:

AN ORDINANCE TO AMEND THE CODE OF THE COUNTY
OF CHESTERFIELD, 1997, AS AMENDED, BY REPEALING
SECTION 4-24 RELATING TO DANGEROUS AND VICIOUS DOGS

BE IT ORDAINED by the Board of Supervisors of Chesterfield County:

(1) That Section 4-24 of the Code of the County of Chesterfield, 1997, as amended, is repealed as follows:

(NOTE: Section 4-24 regarding control of dangerous or vicious dogs is repealed in its entirety.)

(2) That this ordinance shall become effective immediately upon adoption.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**16.C. TO CONSIDER APPROVAL OF A CABLE FRANCHISE AGREEMENT
WITH VERIZON VIRGINIA, INCORPORATED**

Mr. Michael Chernau, Senior Assistant County Attorney, stated this date and time has been advertised for a public hearing for the Board to consider approval of a cable franchise agreement with Verizon Virginia, Incorporated. He further stated staff has negotiated a 15-year franchise agreement with Verizon that is similar to existing agreements with Comcast and Cavalier. He provided details of fees that Verizon has agreed to pay to the county. He then introduced

Mr. Randy Dillard, Area Manager for Verizon.

Mr. Dillard provided details of the digital network service that Verizon will provide, as well as the initial and additional service areas.

Mr. Sowder expressed concerns relative to residents' property being damaged to provide this service and requested that Verizon be very diligent in responding quickly to complaints regarding this issue.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

Mrs. Humphrey stated she will support the proposal.

On motion of Mr. Sowder, seconded by Mrs. Humphrey, the Board approved a 15-year franchise agreement with Verizon Virginia, Incorporated.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

**16.D. TO CONSIDER THE EXERCISE OF EMINENT DOMAIN FOR THE
ACQUISITION OF WATER AND TEMPORARY CONSTRUCTION
EASEMENTS FOR THE SOUTHWEST CORRIDOR WATERLINE PROJECT
- PART A**

Mr. Sasek stated this date and time has been advertised for a public hearing for the Board to consider the exercise of eminent domain for the acquisition of water and temporary construction easements for the Southwest Corridor Waterline Project - Part A.

Mr. Miller called for public comment.

Mr. Scott Friedel, representing Robert and Suzanne Friedel, stated he has requested that the Utilities Department incur the expense of moving a manhole structure covering the butterfly valve to be located on his parents' property, as this is a possible future entrance should the property be developed.

There being no one else to speak to the issue, the public hearing was closed.

Mrs. Humphrey stated she has directed that staff continue discussing with Mr. Friedel not adversely impacting the unique geography of the Friedel property. She further stated Mr. Covington has assured her that, when staff gets to that part of the utility project, all of the sitings, levelings and cosmetic details will be addressed.

On motion of Mrs. Humphrey, seconded by Mr. Sowder, the Board authorized the County Attorney to proceed with eminent domain for the acquisition of water and temporary construction easements for the Southwest Corridor Waterline Project - Part A, and authorized staff to enter and take such easements prior to eminent domain proceedings across the following properties: Estelle Bolling, 9109 River Road, PIN: 764611587000000; Charles I. and Nancy A. Thacker, 9501 River Road, PIN: 759612912200000; Delmar Jackson Shumate, Jr.,

10100 Graves Road, PIN: 755619414800000; and Robert and Suzanne Friedel, 15401 Nash Road, PIN: 755627357600000.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

16.E. TO CONSIDER THE EXERCISE OF EMINENT DOMAIN FOR THE ACQUISITION OF SOUTHSIDE ELECTRIC COOPERATIVE, INCORPORATED EASEMENTS FOR POLE AND GUY WIRE RELOCATION REQUIRED FOR THE SOUTHWEST CORRIDOR WATERLINE PROJECT - PART B

Mr. Sasek stated this date and time has been advertised for a public hearing for the Board to consider the exercise of eminent domain for the acquisition of Southside Electric Cooperative, Incorporated easements for pole and guy wire relocation required for the Southwest Corridor Waterline Project - Part B.

Mr. Miller called for public comment.

No one came forward to speak to the issue.

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board authorized the County Attorney to proceed with eminent domain for the acquisition of Southside Electric Cooperative, Incorporated easements for pole and guy wire relocation required for the Southwest Corridor Waterline Project - Part B, and authorized staff to enter and take such easements prior to eminent domain proceedings across the following properties: Wayne B. and Sara J. Campbell, 12840 River Road, 735640669300000; and A.M.E. Church of the Zion, 11986 River Road, PIN: 744633288400000.

Ayes: Miller, Humphrey, King, Sowder and Warren.
Nays: None.

16.F. TO CONSIDER THE EXERCISE OF EMINENT DOMAIN FOR THE ACQUISITION OF WATER AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE SOUTHWEST CORRIDOR WATERLINE PROJECT - PART B

Mr. Sasek stated this date and time has been advertised for a public hearing for the Board to consider the exercise of eminent domain for the acquisition of water and temporary construction easements for the Southwest Corridor Waterline Project - Part B.

Mr. Miller called for public comment.

Mr. Randy Powers, a resident of 12901 River Road, stated this project impacts his property. He expressed concerns relative to design issues and the proposed pathway of the waterline, indicating that up to 70 feet of his property is being taken and he only has a 50-foot tree line buffer between his property and River Road. He requested that the eminent domain proceedings be deferred for 60 days to address design issues with the proposed waterline, indicating that it would save the county money in the long run.

There being no one else to speak to the issue, the public hearing was closed.

Mrs. Humphrey stated she realizes the challenges with this project and never expected it to be easy, but it is very important that the contract remain on schedule. She requested that Mr. Covington and Mr. Sasek continue discussions with Mr. Powers regarding the impact of the proposed water line on his property.

Mr. Miller informed Mr. Powers that he has the right to have a court determine the value of his property if a successful negotiation with the county cannot be reached.

On motion of Mrs. Humphrey, seconded by Mr. Miller, the Board authorized the County Attorney to proceed with eminent domain for the acquisition of water and temporary construction easements for the Southwest Corridor Waterline Project - Part B, and authorized staff to enter and take such easements prior to eminent domain proceedings across the following properties: Wayne B. and Sara J. Campbell, 12830 River Road, PIN: 737641803800000, 12840 River Road, PIN: 735640669300000; and Johnnie L. and Deborah W. Powers, 12901 River Road, PIN: 734640887700000.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

17. FIFTEEN-MINUTE CITIZEN COMMENT PERIOD ON UNSCHEDULED MATTERS

Mr. C. L. Morrisette, Jr. expressed concerns relative to erosion and sediment control requirements that keep him from using a large portion of his property located along Third Branch Creek, although runoff from nearby subdivisions is permitted to enter the same creek. He suggested that additional staff is needed for the Environmental Engineering Department to assist them in dealing with issues such as this.

18. ADJOURNMENT

On motion of Mr. Miller, seconded by Mrs. Humphrey, the Board adjourned at 9:36 p.m. until May 23, 2007 at 3:00 p.m.

Ayes: Miller, Humphrey, King, Sowder and Warren.

Nays: None.

Lane B. Ramsey
County Administrator

Kelly E. Miller
Chairman